

**CITY OF RIVIERA BEACH
REGULAR CITY COUNCIL MEETING
July 1, 2020
6:00 p.m.**

PRESENT AT MEETING¹:

MAYOR RONNIE FELDER	MAYOR FELDER
CHAIRPERSON JULIA A. BOTEL, DISTRICT 4	CHAIRPERSON BOTEL
CHAIR PRO TEM DOUGLAS A. LAWSON, DISTRICT 5	CHAIR PRO TEM LAWSON
COUNCILPERSON TRADRICK MCCOY, DISTRICT 1	COUNCILPERSON MCCOY
COUNCILPERSON SHIRLY D. LANIER, DISTRICT 3	COUNCILPERSON LANIER
COUNCILPERSON KASHAMBA MILLER-ANDERSON, DISTRICT 2	COUNCILPERSON MILLER-ANDERSON
CITY MANAGER JONATHAN EVANS	CITY MANAGER EVANS
CITY CLERK CLAUDENE L. ANTHONY	CITY CLERK ANTHONY
CITY ATTORNEY DAWN S. WYNN	CITY ATTORNEY WYNN

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¹ List of City Employees, Public Speakers and Others on Page 274

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**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
CITY COUNCIL MEETING MINUTES
HELD IN THE CITY COUNCIL CHAMBERS
JULY 1, 2020 @ 6:00 P.M.**

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

[Before meeting chatter]

CALL TO ORDER

Chairperson Botel: I'd like to call to order the Regular City Council meeting, July 1, 2020. The time is 6:01 p.m.

ROLL CALL

Chairperson Botel: Madam Clerk, will you call the roll?

City Clerk Anthony: Mayor Ronnie Felder?

Mayor Felder: Here.

City Clerk Anthony: Chairperson Julia Botel?

Chairperson Botel: Here.

City Clerk Anthony: Chair Pro Tem Douglas Lawson?

Chair Pro Tem Lawson: Here.

City Clerk Anthony: Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

City Clerk Anthony: Councilperson Shirley Lanier? [Pause]. Councilperson KaShamba Miller-Anderson?

Councilperson Miller-Anderson: Present.

City Clerk Anthony: City Manager Jonathan Evans?

City Manager Evans: Present.

City Clerk Anthony: City Clerk Claudene Anthony is present. City Attorney Dawn Wynn?

City Attorney Wynn: Here.

31 **City Clerk Anthony:** You may proceed.

32 **Chairperson Botel:** Thank you.

33 **INVOCATION**

34 **PLEDGE OF ALLEGIANCE**

35 **Chairperson Botel:** I would like to have a moment of silence followed by the
36 Pledge of Allegiance, led by Councilwoman Miller-Anderson.

37 [Moment of silence]

38 [Pause]

39 **Councilperson Miller-Anderson:** Guess I need my microphone on, huh? I was
40 halfway done.

41 [Chuckles]

42 **Councilperson Miller-Anderson:** I pledge allegiance to the Flag of the United
43 States of America and to the Republic for which it stands, one nation under God,
44 indivisible with liberty and justice for all.

45 **Chairperson Botel:** Thank you.

46 **Chairperson Botel:** **ANY MEMBER OF THE PUBLIC WISHING TO COMMENT**
47 **PUBLICLY ON ANY MATTER, INCLUDING ITEMS ON THE AGENDA, SHALL**
48 **SUBMIT THEIR COMMENTS BY EMAIL TO CITY CLERK CLAUDENE ANTHONY AT**
49 **PUBLICCOMMENTS@RIVIERABEACH.ORG. THE EMAIL SHALL CONTAIN THE**
50 **APPLICABLE AGENDA ITEM NUMBERS, ALONG WITH THE PRECISE WORDING**
51 **TO BE READ INTO THE RECORD. EXPLICIT LANGUAGE WILL NOT BE READ.**
52 **EMAILS WITHOUT APPLICABLE AGENDA ITEM NUMBERS WILL BE READ UNDER**
53 **THE GENERAL PUBLIC COMMENT SECTION. BE ADVISED, PUBLIC COMMENTS**
54 **WILL BE ACCEPTED FOR EACH APPLICABLE ITEM AND THE GENERAL PUBLIC**
55 **COMMENT SECTION UNTIL CLOSURE IS ANNOUNCED BY THE CHAIRPERSON**
56 **OR THE CITY CLERK. ALL EMAIL ADDRESSES AND SUBMITTED COMMENTS**
57 **ARE AND WILL BE PUBLIC RECORD.**

58 **THE CITY CLERK OR DESIGNEE WILL READ PUBLIC COMMENTS INTO THE**
59 **RECORD AT THE APPROPRIATE TIME FOR NO MORE THAN THREE MINUTES,**
60 **UNLESS THE TIME LIMIT IS REDUCED BY A VOTE OF THE COUNCIL BASED ON**
61 **THE VOLUMINOUS NATURE OF THE NUMBER OF PUBLIC COMMENTS RECEIVED.**
62 **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CITY CLERK'S OFFICE**
63 **AT 561-845-4090 OR EMAIL CROBINSON@RIVIERABEACH.ORG.**

64 **AGENDA APPROVAL**

65 **ADDITIONS, DELETIONS, SUBSTITUTIONS**

66 **Chairperson Botel:** Do we have any additions, deletions, or substitutions

67 **City Manager Evans:** Madam Chair, if I may? Two brief presentations from Staff.
68 We would like to bring the Council up to date with regards to the cycling event. Chief
69 Curd, Chief Osgood and Ms. Aladia Franks will provide a brief presentation on the matter.
70 And then, also underneath my comments, Councilman Doug Lawson and myself would
71 like to bring the Board up to speed with regards to the Grag Grad Bash and the deviations
72 to the program. And wanted to get the Board's blessings to move forward.

73 **Chairperson Botel:** That's great. Where would you like to have that on the
74 Agenda? I guess, to the Consent Agenda?

75 **City Manager Evans:** We, we can do that at the conclusion of the meeting, close...

76 **Chairperson Botel:** Okay.

77 **City Manager Evans:** ...to the end.

78 **Chairperson Botel:** Great. Thank you. Any others?

79 **DISCLOSURES**

80 **Chairperson Botel:** Any disclosures by Council or the Mayor? [Pause]. Thank
81 you.

82 **ADOPTION OF AGENDA**

83 **Chairperson Botel:** Could we adopt the Agenda? Could someone please make...

84 **Councilperson Miller-Anderson:** Madam Chair?

85 **Chairperson Botel:** ...a motion to adopt the Agenda? Yes.

86 **Councilperson Miller-Anderson:** Madam Chair? Where are we putting the
87 presentation?

88 **Chairperson Botel:** At the end.

89 **Councilperson Miller-Anderson:** For the... And, and Mr. Evans...

90 **Chairperson Botel:** At the end.

91 **Councilperson Miller-Anderson:** Both are at the end?

92 **Chairperson Botel:** At the end. Yes.

93 **Councilperson Miller-Anderson:** Okay.

94 **Chairperson Botel:** Thank you.

95 **Councilperson Miller-Anderson:** So moved.

96 **Chairperson Botel:** Thank.., was that a move'.., did you make a mo'.., did you
97 make a...

98 **Councilperson Miller-Anderson:** Yes.

99 **Chairperson Botel:** ...motion? Thank you. May we have a second, please?

100 **Councilperson McCoy:** Second.

101 **Chairperson Botel:** Thank you. Madam Clerk.

102 **City Clerk Anthony:** Madam Chair, before, before proceeding with the roll call vote,
103 let me acknowledge that Councilperson Lanier is now present.

104 **Chairperson Botel:** Thank you.

105 **City Clerk Anthony:** Councilperson McCoy?

106 **Councilperson McCoy:** Yes.

107 **City Clerk Anthony:** Councilperson Lanier?

108 **Councilperson Lanier:** Yes.

109 **City Clerk Anthony:** Councilperson Miller-Anderson?

110 **Councilperson Miller-Anderson:** Yes.

111 **City Clerk Anthony:** Pro Tem Lawson?

112 **Chair Pro Tem Lawson:** Yes.

113 **City Clerk Anthony:** Chair Botel?

114 **Chairperson Botel:** Yes.

115 **City Clerk Anthony:** Unanimous vote.

116 **Chairperson Botel:** Thank you.

117 **COMMENTS FROM THE PUBLIC ON CONSENT AGENDA (Three Minute Limitation)**

118 **Chairperson Botel:** Are there any public comments on the Consent Agenda?

119 **City Clerk Anthony:** Madam Chair, there are no public comments on the Consent
120 Agenda. The acceptance of public comments on the Consent Agenda is now closed.

121 **Chairperson Botel:** Thank you.

122 **CONSENT AGENDA**

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

129 **MINUTES**

130 **BOARD APPOINTMENTS**

131 **RESOLUTIONS**

132 1. RESOLUTION NUMBER 55-20 A RESOLUTION OF THE CITY COUNCIL OF
133 THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING
134 FY20 GRANT FUNDS IN THE AMOUNT OF \$109,917 FROM THE BUREAU OF
135 JUSTICE ASSISTANCE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING
136 PROGRAM, BUDGET PERIOD JANUARY 20, 2020, – JANUARY 31, 2022;
137 AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO
138 SET UP THE BUDGET FOR SAME; AND PROVIDING AN EFFECTIVE DATE.

139 **NATHAN OSGOOD, CHIEF OF POLICE, (5610 845-4130)**

140 **Chairperson Botel:** Do we have a motion to accept the Consent Agenda?

141 **Councilperson McCoy:** So moved.

142 **Chair Pro Tem Lawson:** Second.

143 **Chairperson Botel:** Thank you. Madam Clerk.

144 **City Clerk Anthony:** Councilperson McCoy?

145 **Councilperson McCoy:** Yes.

146 **City Clerk Anthony:** Councilperson Miller-Anderson?

147 **Councilperson Miller-Anderson:** Yes.

148 **City Clerk Anthony:** Councilperson Lanier?

149 **Councilperson Lanier:** Yes.

150 **City Clerk Anthony:** Pro Tem Lawson?

151 **Chair Pro Tem Lawson:** Yes.

152 **City Clerk Anthony:** Chair Botel?

153 **Chairperson Botel:** Yes.

154 **City Clerk Anthony:** Unanimous vote.

155 **END OF CONSENT AGENDA**

156 **2. Chairperson Botel:** Thank you. Item No. 2.

157 **City Clerk Anthony:** **RESOLUTION NUMBER 56-20 A RESOLUTION OF THE**
158 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
159 **FLORIDA, APPROVING A CHANGE ORDER WITH ALAN JAY OF SEBRING,**
160 **FLORIDA FOR THE PAINTING OF POLICE VEHICLES IN THE AMOUNT OF**
161 **\$29,600.00; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE**
162 **SERVICES TO MAKE PAYMENT FOR SAME FROM ACCOUNT NUMBER 10120101-**
163 **546000; AND PROVIDING AN EFFECTIVE DATE.**

164 **City Clerk Anthony:** Madam Chair, we do not have any public comment cards on
165 this Item. The acceptance of public comment cards on this Item is now closed.

166 **Chairperson Botel:** Thank you. Would someone like to make a motion to accept
167 this Resolution?

168 **Councilperson Lanier:** So moved.

169 **Councilperson Miller-Anderson:** Second.

170 **Chairperson Botel:** Mr. Evans?

171 **City Manager Evans:** Madam Chair and Members of the Board, if I can turn the
172 presentation over to Riviera Beach Police Chief, Mr. Nathan Osgood.

173 **Chairperson Botel:** Thank you.

174 **Police Chief Osgood:** Good evening, Madam Chair.

175 On October 22, 2019, just a few months prior to my arriving as your Police Chief,
176 the City Council approved Resolution No. 104-19 for the purchase of police vehicles. The
177 vehicles have been all manufactured and they are currently waiting at Alan Jay's pending
178 the installation of required emergency lights on the equipment needed.

179 In March, shortly after I got here, I formed a Uniform Committee to take a look at
180 all the police uniforms and the police vehicles. I did this so the police officers can have a
181 voice and say so in how we look as a u'.., as a Police Department. The com'.., the

182 committee did extensive research and they developed an updated scheme for the police
183 vehicles. Dawn, if you don't mind, if you can show that scheme please for me. I cannot
184 share my calendar here. My page is... But the scheme and graphic that was chosen by
185 the Uniform Committee was all agreed upon by the Command Staff and me. The mockup,
186 I should get it attached shortly, if Dawn is on.

187 So, what we're asking is to paint eight of the vehicles. Four of them already did
188 come in black already, but the, the previous eight came in prior to my arrival, they came
189 in white. We would like to paint them black in color. And the price we have for the painting
190 is \$29,600 and we had a previous paint'.., we.., for that vehicle and it came up to be a
191 little bit more than what Alan Jay... And, and furthermore, Alan Jay, that's where the
192 vehicles go to, to be assembled together with the emergency equipment, in Sebring,
193 Florida.

194 Thank you.

195 **Chairperson Botel:** Thank you. I have a question. Mr. Evans, was this.., did this
196 have to go out to bid or is it simply because we had Alan Jay and the, the vehicles were
197 there? We, we have'.., we didn't have to go for three bids or anything?

198 **City Manager Evans:** I believe that this is off of the state contract, Chief?

199 **Chairperson Botel:** Okay.

200 **Police Chief Osgood:** That's correct, sir. We did not have to go out to bid. I spoke
201 with our Procurement Director, Ms. Pemsel, and that's what she informed us.

202 **Chairperson Botel:** Okay. Thank you. Any other questions from Council?
203 [Pause]. Madam Clerk.

204 **City Clerk Anthony:** Councilperson...

205 **Councilperson Miller-Anderson:** Question.

206 **City Clerk Anthony:** ...McCoy?

207 **Councilperson Miller-Anderson:** Question?

208 **Chairperson Botel:** Oh sorry. Ms. Miller-Anderson.

209 **Councilperson Miller-Anderson:** For the.., with.., why are we only doing a few of
210 the trucks? I mean, are we rolling this out where we're going to eventually have all of
211 them black or is it a specific reason why some are black?

212 **Police Chief Osgood:** Yeah. These...

213 **City Manager Evans:** So...

214 **Police Chief Osgood:** ...we're gonna do them all black. This is their mockup right
215 here. They're all gonna come in black, it's just that the eight came in prior to my arrival,
216 and they came in white. So, I tried to send them back to get them white but they wouldn't
217 take them back so, I said okay, we'll just change the color. We'll paint them black.

218 **Councilperson Miller-Anderson:** So the, the, the inventory that we currently have,
219 those are being done away with and all of the new ones are gonna be coming black and
220 we're just gonna have few that are white, that we're having to paint? Is that what we're
221 doing?

222 **Police Chief Osgood:** Yes, ma'am.

223 **Councilperson Miller-Anderson:** Okay.

224 **City Manager Evans:** Yes, Councilperson. We're going to incrementally, as we
225 modernize the fleet...

226 **Councilperson Miller-Anderson:** Mum.

227 **City Manager Evans:** ...through the attrition process, replace the [stammer],
228 because it is so cost prohibitive if we just went and painted all the vehicles, especially
229 when you see the vehicle that it's mocked up as Ford Explorer with the pursuit package,
230 and we're looking at the Dodge Charger and the Ford Explorer, so smaller vehicles. So,
231 as we go through the acquisition of vehicles for Public Safety, we will look to eventually
232 get to the point where all the fleet matches. But, it was cost prohibitive just to be able to
233 flip the switch and paint all the vehicles, in addition to when we're looking to move away
234 from the traditional Suburban's that we have in, in our fleet.

235 **Councilperson Miller-Anderson:** Okay. And just out of curiosity, why, why black?
236 I mean, is there, is there, is there any rhyme or reason as to why we're going with the
237 black?

238 **Police Chief Osgood:** No, ma'am. We wanted.., kinda the.., when the research that
239 we were doing around the police departments, it's kinda the new color scheme that police
240 departments are kinda going to. And when we put together a Uniform Committee, they
241 all liked it, we liked it, I liked it. Then we had to come up with the color scheme of the
242 tactical vehicles, which is what you're seeing right now, what we... That's called a ghost
243 out lettering.

244 **Councilperson Miller-Anderson:** Mhmm.

245 **Police Chief Osgood:** That's what the Traffic Unit and the CIT Unit was using. When
246 the light hit that thing, the, the police and Riviera Beach, it reflects and shows really bright.

247 **Councilperson Miller-Anderson:** Mm.

248 **Police Chief Osgood:** And then with the blue writing for the regular patrol. You can
249 see it in the white and blue. So, the black look on the police vehicle is something new.

250 We're getting away from the white. As you look around the county, you'll see a lot of
251 police departments have already gone into, like, a black vehicle, or a black and white.

252 **Councilperson Miller-Anderson:** Okay. Thank you.

253 **Chairperson Botel:** Thank you, Chief.

254 **Police Chief Osgood:** Thank you. You're welcome.

255 **Chairperson Botel:** Madam Clerk.

256 **City Clerk Anthony:** Councilperson McCoy? [Pause]. Councilperson Miller-
257 Anderson?

258 **Councilperson Miller-Anderson:** Yes.

259 [Inaudible comment]

260 **City Clerk Anthony:** Councilperson...

261 **Councilperson Miller-Anderson:** Did you hear me? You heard me?

262 **Chairperson Botel:** I heard you, yes.

263 **City Clerk Anthony:** I heard you, Ms...

264 **Councilperson Miller-Anderson:** Okay.

265 **Chairperson Botel:** McCoy.

266 **City Clerk Anthony:** ...Miller-Anderson. Councilperson McCoy?

267 **Councilperson McCoy:** Yes.

268 **City Clerk Anthony:** Councilperson Lanier?

269 **Councilperson Lanier:** Yes.

270 **City Clerk Anthony:** Pro Tem Lawson?

271 **Chair Pro Tem Lawson:** Yes.

272 **City Clerk Anthony:** Chair Botel?

273 **Chairperson Botel:** Yes.

274 **City Clerk Anthony:** Unanimous vote.

275 **Chairperson Botel:** Thank you.

276 **3. Chairperson Botel:** Item No. 3.

277 **Police Chief Osgood:** Thank you.

278 **City Clerk Anthony:** Reso'... Resolution...

279 **Chairperson Botel:** Thank you, Chief. By the way, Chief? We, we assembled
280 lately. I don't know, I think Ms. Miller-Anderson was there. I know Mr. McCoy was there.
281 We assembled lately at the JAYS Ministry parking lot for something. I think it was one of
282 the graduation events we went to, and one of the cars was there and the officer driving it,
283 was so proud of it and said, 'You know, this is great. We can sneak up on people.' So,
284 citizens beware. [Chuckle]. That black color. [Chuckle]. He really liked it. And I think it
285 was wonderful that you went to the officers to get their opinion about it. That's so
286 important. So, great job.

287 Thanks so much.

288 **Police Chief Osgood:** Thank you.

289 **Chairperson Botel:** Item No. 3.

290 **City Clerk Anthony:** **RESOLUTION NUMBER 57-20 A RESOLUTION OF THE**
291 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
292 **FLORIDA, ACCEPTING STAFF'S RECOMMENDATION RELATING TO REQUEST**
293 **FOR PROPOSALS NUMBER 992-20-2 FOR PROFESSIONAL AUDITING SERVICES;**
294 **TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND**
295 **GRAU & ASSOCIATES, INC.; AND AUTHORIZING THE CITY FINANCE DIRECTOR**
296 **TO MAKE SUBSEQUENT PAYMENTS AFTER WORK AUTHORIZATION HAS BEEN**
297 **ISSUED; AND PROVIDING AN EFFECTIVE DATE.**

298 **ALTHEA PEMSEL, PROCUREMENT DIRECTOR, (561) 845-4180**

299 **City Clerk Anthony:** Madam Chair, we do not have any public comments on this
300 Item. The acceptance of public comments on this Item is now closed.

301 **Chairperson Botel:** Thank you. Mr. Evans.

302 **City Manager Evans:** Madam Chair, if I can allow for the Procurement Director, Ms.
303 Althea Pemsel, to present this Item.

304 **Councilperson McCoy:** Madam Chair?

305 **Councilperson Miller-Anderson:** Can we have a motion?

306 **City Clerk Anthony:** We need a motion.

307 **Chairperson Botel:** I'm sorry.

308 **Councilperson Miller-Anderson:** So moved.

309 **Chairperson Botel:** Thank you.

310 **Councilperson McCoy:** I actually indicated...

311 **Unk.:** Second.

312 **Councilperson McCoy:** ...I wanted to substitute the motion.

313 **Chairperson Botel:** Well, we..., we've had a motion on this Item. Do...

314 **Councilperson McCoy:** I've already said it, Madam Chair.

315 **Councilperson Lanier:** And a...

316 **Councilperson McCoy:** Clearly...

317 **Councilperson Lanier:** ...second.

318 **Chairperson Botel:** We have a motion and a second on this item. Mr. McCoy, can
319 you wait until we resolve this issue and then you can make another motion if you, if you...

320 **Councilperson McCoy:** I can not.

321 **Chairperson Botel:** [Stammer]... Actually, Ms. Wynn, could you give us some
322 guidance on this?

323 **Councilperson McCoy:** I offered a substitute motion.

324 **City Attorney Wynn:** Right. He has..., he, he can state the motion, and if it's gets a
325 second then it is proper. And if not, then that mo'..., his substitute motion would go away
326 and the original motion would stand.

327 **Chairperson Botel:** Okay. Go ahead, Mr. McCoy.

328 **Councilperson McCoy:** I wanted to offer a substitute motion that we select a firm other
329 than Grau.

330 **Councilperson Miller-Anderson:** I'll second it for discussion.

331 **Chairperson Botel:** Okay.

332 **Councilperson McCoy:** Thank you.

333 **Chairperson Botel:** Mr. McCoy.

334 **Councilperson McCoy:** But I was hoping that we were gonna hear the presentation
335 but if, if I..., if, if..., I guess I'm being asked to lead the discussion, I certainly will. Is that
336 what we're doing or do we need to hear from...

337 **Chairperson Botel:** Well, it, it's your motion.

338 **Councilperson McCoy:** Well, okay. So, obviously, here's, here's what my concern is.
339 And Mr. Evans, and [inaudible] I've had this conversation with [inaudible]. Can we have
340 [inaudible]? See, 'cause I've got some questions.

341 **Councilperson Miller-Anderson:** I would like to hear a presentation.

342 **Chairperson Botel:** Okay. Let's...

343 **Unk.:** [Inaudible].

344 **Chairperson Botel:** ...yeah. Let, let's... Mr. Evans, we'll hear the presentation
345 and then we'll, we'll see what Mr. McCoy has to say.

346 **City Manager Evans:** Ms. Pemsel, are you, are you on?

347 **Procurement Director Pemsel:** I, I am on. Can you guys hear me?

348 **Chairperson Botel:** Yes.

349 **City Manager Evans:** Yes. But we can't see you.

350 **Procurement Director Pemsel:** Okay. So my camera, for some reason it's green on
351 my side. It initially showed up but it's not showing on the other side.

352 In regards to the presentation, on May..., on April the 7th, we issued a solicitation
353 for professional auditing services. Prior to that, the Audit Committee themselves
354 developed the specifications. And it's a complete rewrite of the solicitation that was done
355 in the past, and it was issued on April 7th. And, it was due back to the City on May 8th.
356 The solicitation was sent to two hundred and fifty-six firms. Eight of the firms pulled down
357 the solicitation and reviewed it. And actually, four firms responded. Those firms were
358 Carr, Riggs, Grau & Associates, ATT Certified Public Consultants, and also S. Davis &
359 Associates. We had a initial evaluation meeting on May 27th, where the proposals were
360 reviewed. And then, we had a subsequent meeting on June 1st, because some
361 documents were, were issued and we wanted to have everybody on the same page. So,
362 we convened on June 1 and reviewed all the scores and the forms. And then, the
363 Committee decided to have presentations. Initially, there was three presentations
364 scheduled for June 11th, at which time, Carr & Riggs withdrew, so that left two
365 presentations for June 11th. And the subsequent last presentation was by S. Davis &
366 Associations, which was scheduled on the 16th. Attempts to move the firm to the 11th was
367 done but they had already had commitments and was unable to, so we had the second
368 oral presentation then.

369 The solicitation outlined the mechanism by which we would do the written and oral
370 presentations. The scores initially, was for short listing in order for us to determine who
371 would come in the event that we had more than four firms that submitted. We would have
372 had to, according to the statute, Chapter 218, whittled it down to the top three firms. So,

373 in keeping with the statute, there wa'..., you can always have more than three firms
374 present, so they selected all four firms to present. In the end, there were only three. After
375 that, the proposals..., the review the of the proposals, then there was the ranking, whereby
376 the Committee was instructed to rank the firms one, two and three. And the firms were
377 ranked one, two and three. Initially, the scores were, I, I believe, 4.42... You should have
378 that sheet in front of you.

379 **Chairperson Botel:** We have it.

380 **Procurement Director Pemsel:** I think it's 4..., 2.35 for HCT, and then 4.18 for Grau,
381 3.92, I believe for S. Davis & Associates, and then Carr & Riggs came in at 3.76. So,
382 those scores got us to the oral presentation part. And then, the firms were ranked, and
383 that ranking turned out to be Grau & Associates, after oral presentations, was ranked
384 number one, S. Davis & Associates was ranked number two, and third was HCT. The
385 point spread between the top two companies initially was six points.

386 And I wanted to discuss the state statute itself, and the provisions that the
387 Committee, the Auditing Committee, is to evaluate the proposals, select the top three
388 firms and then recommend the top ranked firm for a contract. And if a contract can't be
389 reached with the top ranked firm, then the statute requires us to go to the second ranked
390 firm, and then the third ranked firm.

391 **Councilperson McCoy:** Madam Chair?

392 **Chairperson Botel:** Yes. Go ahead.

393 **Councilperson McCoy:** Ms. Pemsel, I..., if I can stop you right there. Members, that's
394 exactly why I wanted to offer a substitute motion because what the Resolution that was
395 read, the title is facially defective because it says accept Staff's recommendation, when
396 Ms. Pemsel just kind of touched on what the statute reads, that we're to accept the Audit
397 Committee's recommendation. So, what we don't wanna do is accept Staff's
398 recommendation and make a motion on something that is not prescribed in the statute.
399 Also, the statute does not provide that we accept Grau & Associates, or any firm for that
400 matter. We accept the rankings of the Audit Selection Committee's rankings, as opposed
401 to one firm in particular.

402 So, Members, respectfully, if we would start this conversation, we would've started
403 this in a position that would not have been consistent with state statute. So that's why I
404 wanted to offer a substitute motion, because the title doesn't coincide with the statute.
405 And, I reserve for some other comments later.

406 Thank you.

407 **Chairperson Botel:** Thank you, Mr. McCoy. Ms. Pemsel, would you reiterate what
408 the statute says? I wanna be clear. And thank you, Mr. McCoy, for pointing that out. We
409 certainly should revise the language of the Resolution indicating that we're..., we would
410 be accepting the Committee's recommendation. But, could you please, Ms. Pemsel,
411 refresh my memory. Is it that we, that we must accept the...

412 **Procurement Director Pemsel:** It...

413 **Chairperson Botel:** ...firm that the Committee recommends or is that we must
414 accept the Committee's ranking? I think that's your question, Mr. McCoy. Am I right?
415 Yes.

416 **Procurement Director Pemsel:** It says in, in Section E to rank and recommend in order
417 of preference, no fewer than three firms to be the most highly qualified to perform the
418 required services after considering the factors established pursuant to that paragraph,
419 which is A. And then it talks about if there are fewer than three firms, you can still go
420 ahead with the evaluation.

421 **Chairperson Botel:** Yes. But, no. What is the language about the, the role of the
422 Council in terms of accepting the recommendation from the Committee, from the Audit
423 Committee? Is there, is there a legal [stammer], you know, underpinning for what we
424 have to do? Do we have to accept? That's my question, basically. Do we have to accept
425 the recommendation of the Audit Committee?

426 **Unk.:** No.

427 **Procurement Director Pemsel:** It says the governing body may select a firm
428 recommended by the Audit Committee and negotiate a contract with one of the
429 recommended firms, using an appropriate alter'..., alternative negotiation method for
430 which compensation is not the sole factor. In doing so...

431 **Chairperson Botel:** Okay. So'...

432 **Procurement Director Pemsel:** ...the methods used by the governing body to select a
433 firm recommended by the Audit Committee, and negotiate a contract with such a firm that
434 agreed upon compensation is reasonable to satisfy the requirements. And it says, if the
435 governing body is unable to negotiate a satisfactory contract with any of the
436 recommended firms, the Committee shall recommend additional firms and negotiate shall
437 continue in accordance with this section until an agreement is reached.

438 **Councilperson McCoy:** Madam Chair?

439 **Procurement Director Pemsel:** And there's other [inaudible] other than that. I don't
440 know if Ms. Wynn wants to weigh in further on that.

441 **Councilperson Lanier:** Madam Chair?

442 **Chairperson Botel:** Yes, Ms. Lanier.

443 **Councilperson Lanier:** Madam Chair, as the Chair of this Committee, Audit
444 Committee, I wanted to say that initially, Mr. McCoy is correct, the Council can make their
445 own decision about what firm to choose. The purpose of the Audit Committee was to
446 ensure that there was no politics in play. The Audit Committee is a selection of individuals
447 that each Councilperson has chosen, it was reviewed through this process, they reviewed

448 it by going over, you know, two, three, four days of review of these proposals. The
449 recommendations that they made were based on numerous conversations with the firms,
450 and with each other, in regards to who we should choose based on qualifications and
451 based on their oral presentations.

452 Now, the rankings that were given in terms of what the Committee felt should go,
453 who should, who should have the.., who should have the bid, is something that the
454 Council can totally reject. It was the fact that we wanted to ensure and, because there
455 has never been an Audit Committee, we wanted to ensure that the process was not
456 political, that each Councilperson would have the opportunity to choose someone and
457 that.., that that Committee would go through the process, publicly to be able to say, 'This
458 is the reason why we chose this particular firm.'

459 So, Mr. McCoy is correct in the fact that we don't have to look at those choices or
460 make those choices for the particular firm but it is considered to be the reason why the
461 Audit Committee was established.

462 **Chairperson Botel:** Thank you. Mr. McCoy, I know you wanted to say something
463 but I think Ms. Wynn may be able to help us understand the, the legal basis for this
464 decision if, if we decide to change from what the Committee recommends.

465 Ms. Wynn. [Inaudible].

466 **City Attorney Wynn:** Good evening. [Chuckle]. I mean, I'm really not sure where
467 you all are going right now. I wasn't sure what provision Ms. Pemsel read regarding the
468 selection of the firms, however, the statute says that if this Procurement is not based on
469 compensation, which I understand that it was not one of the factors from.., according to
470 Ms. Pemsel, that it was not one of the factors established, and used in the evaluation,
471 that the governing body has to inquire of the firms, which is why.., one of the reasons why
472 they're on the.., in, in the meeting now, on the line, as to the basis of compensation, and
473 then, select one of the firms recommended by the Committee and negotiate a contract or
474 delegate that contract, the negotiation of that contract.

475 If you are unable to negotiate a contract with the firm ranked first, then you move
476 to the second and then to the third.

477 **Chairperson Botel:** Okay.

478 **City Attorney Wynn:** And that, again, that's assuming that compensation is not one
479 of the factors. If compensation was one of the factors, then there's a diff'.., different
480 method of selection, according to the statute.

481 **Chairperson Botel:** Okay. Any other comments by Council? Mr. McCoy.

482 **Councilperson McCoy:** Thank you, Madam Chair. Again, my only concern was this
483 Item should not have been presented as a Resolution in this fashion, to name one of the
484 firms. Ms. Pemsel kinda, sorta answered the question but when I look at the statute,
485 she's referring to... I have it here. She's referring to a section that is further down but

486 the actual legislative intent, and it's stated in Section 3(e) of Florida statutes 218.391 says,
487 rank and recommend in order of purpose, no fewer than three firms. If you just take that
488 on its face, we should've been presented with three firms as opposed to a Resolution
489 saying accept Staff's recommendation of Grau & Associates. That's kind of a little bit
490 misleading and I wanted us to have the conversation about how we further reduce those
491 three firms that are..., have been recommended.

492 My other question..., or, my other concern is, Ms. Pemsel, I, I was able to see that,
493 in these submittals from these firms, there was, from all, I believe all four firms, a indication
494 of the number of hours that will be required. Well actually, Councilwoman Lanier, since
495 you were the Chairperson. That..., you guys didn't discuss the number of hours, correct?
496 That...

497 **Councilperson Lanier:** We looked, we looked at it as not so much as a big factor but
498 we did look at the number of hours from each of the firms.

499 **Councilperson McCoy:** Okay. And that was a part of the submittal. So, correct? Or
500 was that done in, in the...

501 **Councilperson Lanier:** No. It..., I, I think that they had their..., they had their hours in
502 their proposal. I think that they did, yes.

503 **Councilperson McCoy:** So, I guess then, I mean, for all intents and purposes, there
504 was a discussion from your Board about the hours and pricing? And there was, you
505 know...

506 **Councilperson Lanier:** No. There was no discussion about pricing. There was only
507 discussion about the number of hours they would commit to providing the service.

508 **Councilperson McCoy:** But wouldn't that correlate with the pricing or no?

509 **Councilperson Lanier:** No. Not so much, no. Uh-uh.

510 **Councilperson McCoy:** Okay. Alright. So, I, I just so happened to see that one, one
511 firm was over a thousand hours in doing this, so that wouldn't impact the pricing,
512 compared to another firm that choose six hundred?

513 **Councilperson Lanier:** We, we, we wouldn't know. We didn't get prices. We just got
514 the proposals. I, I mean, you would, you would think that it would but we don't know. We
515 got the proposals, we got the number of hours and there were numerous [stammer]
516 avenues, or numerous issues that we had to hit in, in lieu of pricing. We wanted to not
517 look at that, we wanted to look at the actual services that these agencies were going to
518 provide to the City. We did look at time committed. We asked different agencies about
519 the time that they committed or the time that pro'..., proposed to commit. Some of them
520 co'..., based on the, the number of people in their own firm, can do it sooner than others
521 because they had less people.

522 But that really wasn't a factor in terms of our overall looking at these firms. We
523 looked at their staff, we looked at.., when, when they broke out the different, the different
524 sections of the audit, in terms of how they would look at our, our, our IT, how they would
525 look at other departments in the City. We asked them [stammer] specific questions,
526 especially about how they would look at IT for the City, how they would.., how that fits into
527 the overall scope of how the City actually runs.

528 So, there were very, very miniscule things that we asked them in regards to what
529 we already knew we had. So, we were looking for something different, we were looking
530 for something that was innovative, we were looking for something that would bring to the
531 table something that people who are laypeople.., 'cause my main concern was... You
532 know, I look at these audit reports, I look at the audit reports that the City has and
533 sometimes I'm not.., I can't make heads or tail of it. So, I wanted to be able to understand
534 what it was that each of these firms were doing, the Committee wanted to understand
535 what they were doing, to make sure that a layperson could understand what they are
536 doing. So each of them, each of them interpreted or told us how they were going to do
537 these audits and what they would focus on. We asked them, you know, there's.., it may
538 not be in your backup, but there are questions, and if you look at the tape, I don't think it
539 was written down or transcribed but if you look at the tape, there were very specific
540 questions. We had two auditors on our.., two CPA's on our Committee. So they were
541 asking very specific questions about how they were going to do the audit. And each of
542 those firms did very well. But, the Committee had to whittle down those responses, whittle
543 down those CPA's to make sure that we came up with the top three. And then after the
544 oral presentations and even more questions, then we came up with ranking the top three.
545 So, this was not a very, you know, one day, you know, two day process. This happened
546 over a span of a month and a half, that we were going back and forth with ourselves, with
547 the firms to be able to have the right ranking, so to speak, based on qualifications.

548 And as I said at the top of this, this.., the Council can totally say they don't want
549 any of the three that we recommended. But what we did was spend a lot of time to get
550 to this point.

551 **Councilperson McCoy:** Follow up.

552 **Chairperson Botel:** Yes. Go ahead, Mr. McCoy.

553 **Councilperson McCoy:** Okay. And I appreciate that, and I gotta commend you and
554 thank you for your service. I just couldn't do anymore board commitments, so thank you
555 for taking on that and representing the Board.

556 You did mention that you guys kinda asked some questions and one of the things
557 I heard you mention was, you guys were looking for something different. Like, was this
558 a.., something that you guys had.., like, how did that work? Like, can you explain that?
559 When you said you guys...

560 **Councilperson Lanier:** Well, I mean, when we say.., when I say different, there are
561 methods and methodologies that different firms use to be able to calculate risk, to be able

562 to calculate how departments are run, to calculate, you know, security. You know, they
563 have different methodologies, and one of the firms, I can't think right now which one it
564 was, but they had specific methodologies that, that they used to be able to look at the
565 whole IT process. There were, you know, very, you know, methodical ways, new,
566 innovative ways that they were going to look at the whole IT process, that other firms
567 didn't have. Now, I'm not saying that firm got it because of that, but they brought
568 something to the table that was different from other firms. And that was just one, one
569 piece of it.

570 **Councilperson McCoy:** Okay. Alright.

571 **Councilperson Lanier:** And the thing...

572 **Councilperson McCoy:** That's...

573 **Councilperson Lanier:** ...about it is that we really, to tell you the truth, we really just,
574 you know, focused on quality assurance, you know, over hours. We wanted to make sure
575 that the quality of work..., if they took a thousand hours, if they took six hundred hours, the
576 quality of work was what we were looking for and how would they able to be innovative,
577 be detailed enough to be able to make it worth the City's while to go with that particular
578 firm.

579 **Chairperson Botel:** Thank you. Ms. Miller-Anderson.

580 **Councilperson Miller-Anderson:** Thank you. I just had a question regarding the
581 oral evaluation. I see that..., it just said that it was based on the written evaluation scorings
582 above that, that you all would, pretty much, rank them. What were some of the criteria
583 that you used in terms of the oral presentations scoring? Or ranking?

584 **Councilperson Lanier:** Well, I mean, I don't know that we had anything..., I can't recall
585 specific, but what we were looking for in oral presentations was, number one, basically to
586 ask questions that we had in our minds during the written part of looking at the..., looking
587 at the proposals. When looking at those proposals, those are when the kinda..., the
588 questions came up. We could've sent the questions to them beforehand but we decided
589 to wait until we had the firm in front of us, and then each individual on the Committee
590 asked their questions about issues that they had with the proposal. So, most of it, after
591 that conversation with each of those firms, it was just basically how well they answered
592 those questions and how well they were able to, you know, answer questions from
593 another CPA, or answer questions from another auditor. How well they...

594 **Councilperson Miller-Anderson:** [Inaudible]...

595 **Councilperson Lanier:** ...were able to do that.

596 **Councilperson Miller-Anderson:** Within that oral presentation though, I noticed
597 that the rankings was one, two and three, obviously. How did a person determine what
598 a one was versus what a three would be?

599 **Councilperson Lanier:** Well, they actually asked us, there were three firms that
600 presented. We had to, each Council, each Committee member, had to say this is how I
601 rank these three firms. Three, two and one, or one, three and two and they..., all, all...,
602 each of the Committees ranked the firms themselves, and then the average of that was
603 how we got to the three that we're submitting to you tonight.

604 **Councilperson Miller-Anderson:** Okay. And that was separate and apart from the
605 written scores where you had the HCT firm, that scored the highest for the written part
606 but then when it came to the oral presentation... Within the..., I, I guess, looking at the
607 RFP when it talks about the oral presentation, it did say it would rank it but I didn't
608 understand that to be that you just totally throw out the written part. 'Cause it's almost
609 like the written part doesn't even matter. Because, at the end of the day, you..., it was
610 decided based on the oral. Am I understanding...

611 **Councilperson Lanier:** It was...

612 **Councilperson Miller-Anderson:** ...that correctly?

613 **Councilperson Lanier:** It was... Well, you know, to be honest, it was, it was above
614 and beyond... Well, I shouldn't say above and beyond but the written part, of course, that
615 got us to where we were, in terms of the oral presentations. When we went through this
616 whole exercise of two, three days I'm..., probably three days, of trying to come up with this
617 written part, that is what got us to the oral part. It wasn't that we totally disregarded it, it
618 is what got us to the oral presentation. And once we knew that we were looking at, for
619 lack of better terms, rankings at that point in my head, we got to the oral presentations
620 part and then we just kinda looked at how they answered questions, the responses that
621 they made and then we just kinda ranked them based on..., based on that.

622 **Councilperson Miller-Anderson:** Okay.

623 **Chairperson Botel:** [Inaudible]...

624 **Councilperson Lanier:** So, [inaudible] writing, it's not that we threw it out, it was that
625 it was a means to get us to the oral.

626 **Councilperson Miller-Anderson:** I guess if, if we had more people that
627 participated, that may have at least given the appearance that, that's how you got to the
628 oral and the ranking part. But being that there were only..., there was four to begin with,
629 one dropped out and then you were only left with the three, it just seems like the written
630 part, those scores were not considered. I can see..., did that, like, the person who had the
631 highest from the written part, did they gain a couple more points when it came to oral or
632 everyone just started at zero when you got to...

633 **Councilperson Lanier:** No.

634 **Councilperson Miller-Anderson:** ...the [inaudible]?

635 **Councilperson Lanier:** No, no. It was, it was two.., it was a two part basis. So
636 basically, when I came into this.., when I came into this and I don't.., I, I can't remember
637 my rankings. So, just say...

638 **Councilperson Miller-Anderson:** No.

639 **Councilperson Lanier:** ...you know, I went with the Miller-Anderson firm first in my
640 head.

641 **Councilperson Miller-Anderson:** Mhmm.

642 **Councilperson Lanier:** So, when I got there, I'm thinking, as I'm asking questions of
643 Miller-Anderson, I'm thinking.., I'm still thinking about.., I still ranked this person the
644 highest. So, the question,.., if they answered those questions the way I'm looking at them
645 answering the questions or I'm ex'.., my expectations of how they answered those
646 questions, then of course they're gonna stay number one in my ranking. But if they...

647 **Councilperson Miller-Anderson:** Okay.

648 **Councilperson Lanier:** ...got to the meeting... Now, they're number one, they got to
649 the meeting and they just faltered on the questions, and they couldn't answer them, then,
650 maybe they drop to number two then in my, in my ranking.

651 **Councilperson Miller-Anderson:** Okay. And there, there lies my issue, I believe,
652 because there are a l'.., there's a lot of subjectivity, as you stated, you know, in your mind,
653 that person may have been the top person. But in the other people that were rank'.., were
654 doing the rankings, that may not have factored in for them. And so, it just...

655 **Councilperson Lanier:** No. It factored...

656 **Councilperson Miller-Anderson:** ...just looking at...

657 **Councilperson Lanier:** ...in for everybody. We, we had the same conversation. If we
658 go back and look at the last tape that we had, we had...

659 **Councilperson Miller-Anderson:** Okay.

660 **Councilperson Lanier:** ...the same conversation about the ranking and about the oral
661 and the written, was it together, was it apart? The same exact conversation we had. So
662 we all...

663 **Councilperson Miller-Anderson:** Okay. Thank you.

664 **Councilperson Lanier:** ...came to the same conclusion, that that's, that's how it was
665 going to be ranked.

666 **Chairperson Botel:** Thank you. I don't wanna cut you off but Mr. Evans has been
667 trying to make a statement.

668 **City Manager Evans:** Madam Chair...

669 **Chair Pro Tem Lawson:** Madam Chair? Before we jump in, Mr. Evans, I apologize. I
670 just had a question before Mr. Evans jumped in. I just had a quick question. Maybe he
671 can incorporate that into his, his response as well. So, if I'd be...

672 **Chairperson Botel:** Go ahead, Mr. Lawson.

673 **Chair Pro Tem Lawson:** ...inclined to ask a quick question. It's in line with what
674 Councilwoman Miller-Anderson, with the scoring, whether it's Ms. Pemsel or
675 Councilwoman Lanier, the scoring criteria for the oral presentation, I didn't see what was
676 actually used. And, when I looked back at the 2014 RFP for the audit services, there was
677 a hundred point metrics., I'm sorry, a fifty point metrics used for the oral presentations,
678 and then in the 2019 RFP that we originally put out, there was a hundred point metrics.
679 So, I, I didn't want the oral., or, to come back and look and just see that it was a arbitrary
680 expectation of one, two, three, without possibly just having a point system in place,
681 comparable to other RFP's that we've used in the past. And even in a comparable RFP
682 which is Emergency Medical Services, which was put out in 2019, that had a scoring
683 metrics to the oral presentation as well. So, I was just kinda confused as to how we went
684 from just kinda selecting oral as a one, two, three selection, and then making a
685 determination without even considering the written part, which kinda...

686 **Councilperson Lanier:** That...

687 **Chair Pro Tem Lawson:** ...flipped flopped. So...

688 **Chairperson Botel:** Okay. Mr. Evans...

689 **Chair Pro Tem Lawson:** ...possibly, possibly...

690 **Councilperson Lanier:** Yeah. But that...

691 **Chair Pro Tem Lawson:** I'm sorry, Councilwoman Botel...

692 **Councilperson Lanier:** ...but that, but that's not true...

693 **Chair Pro Tem Lawson:** Let me just...

694 **Councilperson Lanier:** ...Mr. Lawson.

695 **Chairperson Botel:** Ms., Ms...

696 **Chair Pro Tem Lawson:** No. If I could just...

697 **Chairperson Botel:** ...Lanier,

698 **Chair Pro Tem Lawson:** ...[inaudible] point...

699 **Chairperson Botel:** Let', let'...

700 **Chair Pro Tem Lawson:** ...Ms. Lanier.

701 **Chairperson Botel:** let's let, let's let., Mr. Lawson, please, finish up his...
702 [Inaudible]. Mr. Evans...

703 **Chair Pro Tem Lawson:** So Cou'...

704 **Chairperson Botel:** ...has been waiting, so I just want Mr. Evans to be able...

705 **Chair Pro Tem Lawson:** Council'...

706 **Chairperson Botel:** ...to answer Mr. Lawson's question...

707 **Chair Pro Tem Lawson:** Councilwoman Botel, we, we definitely understand Mr. Evans
708 is waiting but I would a'.., like to have my questions answered, and he...

709 **Chairperson Botel:** Right.

710 **Chair Pro Tem Lawson:** ...could possibly incorporate his responses for all of the
711 Commissioners, all the Councilpeople into his response. So, if you give us an opportunity
712 to speak first, we can get our concerns addressed and then Councilman.., and then Mr.
713 Evans can jump in.

714 **Chairperson Botel:** Yes, thank you. I think I understood your question though.
715 Were you.., did you have something other to say? Other than [inaudible]?

716 **Chair Pro Tem Lawson:** No. Councilwoman Lanier had a response that I would like to
717 of responded to. So, I'd like for us to finish our discussion, go ahead, and then allow for
718 Mr. Evans to jump in.

719 **Chairperson Botel:** Well, I'd like to hear from Mr. Evans first because he's been
720 waiting. Mr. Evans.

721 **Councilperson McCoy:** That, that, that wouldn't be correct.

722 **Chair Pro Tem Lawson:** I'm...

723 **Councilperson McCoy:** So, we...

724 **Chairperson Botel:** Mr. McCoy, I would like to hear from Mr. Evans because...

725 **Councilperson McCoy:** I would...

726 **Chairperson Botel:** ...he has been...

727 **Councilperson McCoy:** I would...

728 **Chairperson Botel:** ...[inaudible]...

729 **Councilperson McCoy:** I would [inaudible] Members because we're asking specifics
730 as to what the Committee members understood, not what Mr. Evans understood. And I
731 would like to see if Councilwoman Lanier can share her perspective as a member and
732 what their expectation and understanding was, as opposed to the perception and the
733 understanding of the Manager.

734 **Chairperson Botel:** Ms. Lanier...

735 **Councilperson McCoy:** So, I would...

736 **Chairperson Botel:** ...would you, would like to defer to the Manger or would you
737 like to answer that question?

738 **Councilperson Lanier:** No., I, I wanted to just answer Mr. Lawson's question. And
739 his...

740 **Chair Pro Tem Lawson:** Yes, ma'am.

741 **Councilperson Lanier:** ...question... His question was, he felt like, 'cause this what
742 Mr. Miller-Anderson said, they felt like the oral.., that, that the oral didn't.., the oral didn't
743 have a ranking to it. That, because the oral didn't have a one through a hundred, or a
744 one through fifty, that that was.., it wasn't.., because [stammer] before, it was something
745 that was done. Now, let me say this, the Committee and the rankings and the metrics, is,
746 is a part of the Florida statute. So it wasn't done wrong, it was just done different.

747 **Chair Pro Tem Lawson:** Right.

748 **Councilperson Lanier:** Alright. Second of all, second of all, we did not throw out the
749 oral part of it. I mean, we didn't, we didn't, we didn't just get to the oral part and say, 'Oh,
750 all that stuff we did for those three or four days on the written part, that's just, that's just
751 outta here.' We did not do that. We brought the oral pres'.., I mean, we brought the
752 written part to the oral to make the decision. And that's how we made the ranking, based
753 on both. Not just based on, when we got to oral, everything else was just done.

754 **Chair Pro Tem Lawson:** Follow up, Madam Chair.

755 **Chairperson Botel:** Go ahead.

756 **Chair Pro Tem Lawson:** Councilwoman Lanier, [stammer], I apologize. I'm not saying
757 that it was done wrong, it's just.., I wanna see what criteria was used for the oral. That's
758 it. I just wanna see what scores, what position, what ranking, what responses because I
759 wouldn't want the orals to be given in comparison to each respondent to the RFP, I would
760 like a scoring to see, okay, what would you rank this individual, individually? This firm
761 individually versus saying, 'Okay, I like them better than the last one I listened to.' And,
762 in addition to that, they were done on separate days. So, just to have an actual scoring
763 metrics, or something to show that these are how we ranked this oral presentation, similar
764 to how the RFP was written, that each firm was given a certain point ranking.

802 the review of the proposals and the detailed questions that was asked during the
803 presentations. Because each firm approaches things differently. So they were basing
804 their decisions based on what they heard cumulatively .

805 **Chairperson Botel:** Ms. Pemsel?

806 **Procurement Director Pemsel:** Yes.

807 **Chairperson Botel:** Is that standard practice, in terms of how, how you have done
808 these kinds of evaluations in the past?

809 **Procurement Director Pemsel:** Yes, ma'am. The CCNA was just a Competitive
810 Consultant Negotiation Act, which originally had the same process for auditors to be used.
811 It's where you qualify the firms first and then you can ask for oral presentations, and at
812 oral presentations, you rank them one, two and three. And the reason why that's
813 important, is so that from there you can negotiate a contract with the top ranked firm. If
814 you don't reach a contract with the top ranked firm, you go to the second one. And so,
815 it's the same process, the CCNA. The only thing they added differently was that it would
816 be done by the Audit Committee.

817 **Chairperson Botel:** Okay. Thank you. And when is the audit due?

818 **Procurement Director Pemsel:** I'm sorry?

819 **Chairperson Botel:** When is the audit due to the state?

820 **Procurement Director Pemsel:** It's due to the state in September 2020.

821 **Finance and Administrative Services Director Sherman:** No. Nope.

822 [Inaudible comments]

823 **Procurement Director Pemsel:** Mr. Sherman will weigh in on that.

824 [Chuckles]

825 **Finance and Administrative Services Director Sherman:** Yeah. The, the audit was
826 actually due to the state yesterday. We're supposed to provide it to the state within two
827 hundred and seventy days. Yeah. The end of June.

828 **Chairperson Botel:** Okay. Thank you. Mr. McCoy.

829 **Councilperson McCoy:** Ms. Pemsel, you referenced the Competitive Con'..., the
830 Consultants Competitive Negotiation Act. Is that correct?

831 **Procurement Director Pemsel:** Yes, sir.

832 **Councilperson McCoy:** Okay. In reviewing that, that doesn't apply to auditing
833 services, so how would that even be of relevance when that's not even one of the
834 professional services called out in the statute?

835 **Procurement Director Pemsel:** In, in the past, that's what was used to be able to obtain
836 auditing services. I think that ceased when they changed in the legislature about three
837 years ago.

838 **Councilperson McCoy:** Okay. So, it wouldn't've been in 2009 that they changed it?

839 **Procurement Director Pemsel:** I don't recall the exact date.

840 **Councilperson McCoy:** Okay...

841 **Procurement Director Pemsel:** But there's...

842 **Councilperson McCoy:** I, I guess my concern that you're referencing and you're
843 suggesting to the Chairperson, is that this is almost like the practice based on the
844 Consultant's Competitive Negotiation Act, which is Florida sta'..., statute 287.055, when
845 clearly, that applies to architectural services and landscaping and surveying and that sort
846 of thing. So that..., I don't understand how that would even be relevant or to suggest that
847 that process is somehow similar to how we select a auditor.

848 **Procurement Director Pemsel:** I understand, Mr. McCoy. The similarities are, you
849 receive the proposals based on, and reviewed, based on the qualifications only. You,
850 you..., and then, after that, you can invite for oral presentations, and then you get the
851 pricings and negotiate one by one. Those are the similarities.

852 **Councilperson McCoy:** Okay. But nothing is prescribed that this is the way, or even
853 best practices for that matter, being that there's no reference to a auditing, because I, I
854 don't understand that and I, I guess I shoulda asked that before but that..., it clearly is, in
855 my opinion, not even relevant other than it's more or less concerned with the actual
856 qualifications, but that doesn't apply in itself.

857 **Councilperson Lanier:** Madam Chair?

858 **Chairperson Botel:** Yes, Ms. Lanier.

859 **Councilperson Lanier:** No. I just wanted to say that it, it may not be, Councilman
860 McCoy, it may not be a practice..., and, and I don't even know, you're looking at it, you're
861 looking at it yourself but it is a best practice, which means that it is not something that is
862 wrong to use if you were going to use something to be able to come to a Florida statute.
863 Now, this process was deliberate. All of this was done based on Florida statute, and
864 based on how this is supposed to be set up. We didn't, we did nothing wrong in the
865 process.

866 Now, because we ha'...

867 **Councilperson McCoy:** Nobody...

868 **Councilperson Lanier:** Because..., because we're going back and forth, if you wanna
869 make a motion to throw out the whole thing, you can. And, you can also make the motion
870 to get the firm that you want to get. That's [stammer] the, the point here is that, the
871 process and the work that we did was to bring to you, so that you didn't have to do the
872 work, sitting here, that we would bring to you the top three firms. We recommended a
873 firm, based on the Committee's recommendation. If you want to throw all of that out, you
874 can. If you want to pick the one you want, you can.

875 **Councilperson McCoy:** Okay. Well, I...

876 **Councilperson Lanier:** But don't say... But don't..., we, we can't keep going back and
877 forth as if the, the process is wrong.

878 **Councilperson McCoy:** I never said the process was wrong but she's referencing a
879 specific section in the chapter that doesn't even agree, or even compare with, with
880 auditing services. And, and to that point...

881 **Councilperson Lanier:** She's validating... She just validated the selection process of
882 written and oral.

883 **Councilperson McCoy:** Okay. I never said that there was anything wrong. And I think,
884 perhaps you shouldn't be so defensive because I think you said the same thing to
885 Councilperson...

886 **Councilperson Lanier:** No. I'm not being defensive.

887 **Councilperson McCoy:** My question is very simple. Since you actually were a part of
888 that Committee as a member, what drove you as a member, or drove the members to
889 suggest a process where you don't actually score orals in the same fashion that it's been
890 done in the past, or that is done in other municipalities, or even other organizations such
891 as the School Board, or such as Special Taxing District or any other government agency?
892 Why did you guys choose this method as opposed to what we've already seen? Because
893 clearly, the Competitive Consultant Act doesn't apply.

894 **Councilperson Lanier:** I answered that question. We chose this process because it
895 is a process. It is a legal process. It is a best practice. It's just a different one than the
896 ones that we did before.

897 **Councilperson McCoy:** Okay. But [inaudible]...

898 **Councilperson Lanier:** And, and we're not the only...

899 **Councilperson McCoy:** [Stammer]...

900 **Councilperson Lanier:** ...one..., we're not...

901 **Councilperson McCoy:** [Stammer]...

902 **Councilperson Lanier:** ...only... Let me finish, Mr. McCoy. And we're not the only
903 committee or entity that has used that process before. So, the only difference here is that
904 it is different. It's not wrong, it's not illegal, it's not, not a part of the statute, it's just a
905 different process. And that is it.

906 **Chairperson Botel:** I'm looking around, I see no hands raised. Mr. McCoy, would
907 you like to restate your motion?

908 **Councilperson McCoy:** I just wanted to make sure... And, Madam Chair, I, you know,
909 here, here again, Ms. Pemsel didn't recognize it but let me go ahead and bluntly state it,
910 what was printed on the Agenda is absolutely statutorily incorrect.

911 **Chairperson Botel:** Okay.

912 **Councilperson McCoy:** So, I just wanted to make sure that I put it out there that what
913 we were being asked to make a motion on, and I was expecting the Chairperson of that
914 Committee to already have known this, or at least be aware that you can't make a
915 recommendation of one firm. You send the rankings. So, I, you know, I wanted to see...,
916 and, obviously the, the discussion has kinda led to Ms. Pemsel saying that this was a, a,
917 a Committee member and also Councilwoman Lanier saying that this wasn't a issue of
918 pricing.

919 So, obviously, I don't agree. Like, some of the other things that I've heard, so I,
920 you know, it's not my desire to appoint Grau & Associates because this clearly doesn't
921 coincide with the rankings that we've heard. Even though, you know, the...

922 **Councilperson Lanier:** It doesn't coincide...

923 **Councilperson McCoy:** ...[inaudible]...

924 **Councilperson Lanier:** ...with the rankings?

925 **Councilperson McCoy:** ...suggested that this was some kind of way cumulative, it's
926 impossible and impractical. Especially, without having any scoring mechanisms to
927 actually support that. And, I don't support moving Grau forward as the City's auditor. So
928 I don't have a motion for that but I do want to see if there's any other discussion.

929 **Councilperson Lanier:** Madam Chair? Can I just...

930 **Chairperson Botel:** Yes.

931 **Councilperson Lanier:** ...say one more thing?

932 **Chairperson Botel:** Sure.

933 **Councilperson Lanier:** So, how, how do you just pick a firm and you were not a part
934 of the whole process? So, what would be your basis for selecting the other firm, and you
935 have not gone through this whole process that this Committee did over a month and a
936 half to get to this point, what process would you use to get to the firm tonight that you're
937 going to select?

938 **Councilperson McCoy:** Well, Councilwoman Lanier, I actually didn't come up with a
939 process yet because I wanted to see what your reasoning was and how you came to
940 something that we believe seems to be arbitrary. And, we...

941 **Councilperson Lanier:** We...

942 **Chairperson Botel:** Excuse me. Excuse me, Mr. McCoy, please use the singular
943 pronoun in the subject of that sentence.

944 **Councilperson McCoy:** Okay. Well clearly, Councilwoman Miller-Anderson, and also
945 Councilman Lawson, also brought up those same questions but, quite honestly, I think
946 it's incumbent upon you as the representative member of this body to maybe bring back
947 to us a presentation on how you guys arrived at selecting that..., something that was
948 completely untraditional. And you indicated best practices and I'm simply asking best
949 practices from where? Because I'm not seeing this anywhere, and I actually made a
950 diligent effort in going to look.

951 But, I mean, if, if you don't wanna defend that, that's fine but...

952 **Councilperson Lanier:** And...

953 **Councilperson McCoy:** ...in spite of it, I wanted to kinda have a conversation with Ms.
954 Pemsel about our options moving forward. [Pause]. Are you...

955 **Chairperson Botel:** Do you have a...

956 **Councilperson McCoy:** ...there?

957 **Chairperson Botel:** Do you have a question? Do you have a question for Ms.
958 Pemsel?

959 **Councilperson McCoy:** I, I wanna know in the alternative, what, what are our options,
960 Ms. Pemsel? Because I don't agree with selecting who the Board recommended or
961 ranked.

962 **Procurement Director Pemsel:** I, I'm not sure what options to recommend to you at this
963 point. I would probably be open for some more interpretation of 218 from our City
964 Attorney.

965 **Chairperson Botel:** Ms., is..., Ms. Miller-Anderson, are you raising your hand?
966 Yes. Ms. Miller-Anderson, you're recognized.

967 **Councilperson Miller-Anderson:** I know Ms. Pemsel [stammer] Pemsel is looking
968 for Ms. Wynn to state her position but I think I heard several times that we could make a
969 motion to go with any of these particular agencies, correct?

970 **Chairperson Botel:** Yes. And I think would be a good way forward, if Mr. McCoy
971 would like to state his motion, we could take a vote on it. At least we would come to some
972 conclusion. But go ahead, Mr. Miller-Anderson.

973 **Councilperson Lanier:** And, and...

974 **Councilperson Miller-Anderson:** So...

975 **Chairperson Botel:** Let, let's let her finish, Shirley.

976 **Councilperson Miller-Anderson:** So, I mean, I, I., I heard Ms. Lanier in terms of
977 how you came up with your, your ranking for your oral presentations but I am not able to
978 make a connection for, objectively make a connection, with the rankings. And having
979 them a part of a group that went through this several times trying to get a City Manager,
980 with rankings that were kinda baseless, in my, in my opinion, it, it's very difficult to point
981 to something to say exactly why this person was one, why this person was two and why
982 this person was three. I think it's clearly stated, or at least you had some kind of rubric to
983 go by, or some kind of criteria to go by with the written part. The oral part, I don't see that
984 so I don't., for me, I don't see why a lot of weight was put onto the oral presentation part.

985 And so, you know, if we're gonna do., continue more conversation that's fine but
986 I, I would certainly be willing to make a motion to go with the written and the highest score.
987 But I'll wait to...

988 **Chairperson Botel:** Uh...

989 **Councilperson Miller-Anderson:** ...see what everyone was doing here.

990 **Chairperson Botel:** Well...

991 **Councilperson McCoy:** Well...

992 **Chairperson Botel:** ...I, I, I would like to make a statement. I trust that we each
993 provided the name of someone... I'm having feedback, sorry... provided the name of
994 someone we trusted to act responsibly and with a high degree of expertise to be the
995 person we chose to be on that Committee. The person I chose was the Vice President
996 at Price Waterhouse, and did audits for the better part of, well, I don't wanna give away
997 his age and., but, probably thirty years. I would expect that you all chose people who
998 would have been equally qualified and I would suggest that we take a look at what they
999 recommended based on the fact that they used the written. The, the, the rankings that
1000 we saw, that were from the written, were just a jumping off spot to do the oral. The oral
1001 was., that was what vetted them to be permitted to have an oral evaluation. Once they
1002 came in and did the oral presentations, then three of the., I have to look at this carefully,
1003 three of the evaluators... Let me see if I got this right. Hang on. I want, I want everyone

1004 to be aware of this 'cause the public doesn't have this information necessarily. Three of
1005 the evaluators, evaluated Grau & Associates as either number one or number two. Three
1006 of the evaluators recommended HCT as number three. And there's was a mixture of
1007 three's, two's and one's for S. Davis & Associates. It seems to me that it's quite
1008 reasonable to say, 'Okay. I'm gonna take a look at what's been presented to me in a
1009 written form. I'm gonna say firms A, B and C, okay, we, we.., if you're pretty close,
1010 especially the first two top firms were, as you said earlier, Ms. Pemsel, I think, six points
1011 apart.

1012 Now, we've seen what you have in writing. Now you're gonna come in and be
1013 subjected to a number of questions from us, as a group of people who know a lot about
1014 audits, we're gonna listen to what you have to say and then we're going to rank you. I
1015 don't have to have.., I've done this before in hiring principals, for example, where you get
1016 the best of the best and then you have them come in and you evaluate them based on
1017 their oral presentation, based on the responses to oral questions that you ask, and then
1018 you rank them one, two, and three for example, as was done here. I think it's a perfectly
1019 legitimate process to use. So I'm gonna have to disagree with my colleagues and say
1020 that I would prefer that we go with the recommendation from a carefully selected Audit
1021 Committee, where those people who have vast experience with audits, unlike most of us
1022 I would guess, unless, perhaps, Mr. McCoy and Mr. Lawson who are accountants by
1023 trade and they have done some in the past. I would prefer that we go with the
1024 recommendation and, change the language, and I thank Mr. McCoy for raising that issue,
1025 change the langue of the Resolution to say that we would be accepting the Audit
1026 Committee's recommendation to go with the, the firm that they recommended.

1027 I also have to say this. Who was our, who was our auditor for the last ten years
1028 about? Mr. Evans, do you have a response to that? Or Mr. M'.., Mr. Sherman? Who
1029 was our auditor for the last ten years?

1030 **City Manager Evans:** I...

1031 **Chairperson Botel:** Who can respond to that question?

1032 **City Manager Evans:** I believe the, the firm was HCT.

1033 **Chairperson Botel:** Okay. Thank you. That's what I thought. So, what.., how..,
1034 what kind of issues have we had for the last ten years, that you could name? Probably
1035 five or ten, big ones, off the top of your head, namely, four.., several million dollars worth
1036 of [stammer] insurance that was paid to people who no longer worked here. Is that
1037 something that an auditing firm might have picked up and let us know about? Okay?
1038 Certain other issues. I won't even go into the litany of them. Things have happened here.
1039 Now, it may not be the responsibility of an auditing firm to find every little single thing that
1040 went wrong in a, in a, in a Council. I almost said School District. [Chuckle]. In a, in a, in
1041 a, in a City, but I would think that a good firm would have identified some of these issues.
1042 And that's my objection to going with what Mr. McCoy, Mr. Lawson and I, I think probably
1043 Ms. Miller-Anderson are proposing that we do, that we go to the third ranked firm here?

1044 Who has been a..., the firm for the District for some..., almost a decade? A firm that has
1045 not picked up on some of the issues that we've experienced over this decade?

1046 So, that, that's my position on it and I, I think it's probably time that we take a vote.
1047 Mr. McCoy, would you like to restate your motion so we can move on with this issue?

1048 **Councilperson McCoy:** So, I'm...

1049 **City Attorney Wynn:** Madam Chair?

1050 **Chairperson Botel:** Who's speaking? Ms. Wynn. Sorry, [inaudible].

1051 **City Attorney Wynn:** Yes. Under the statute, you all are required to inquire of the
1052 firms as to the basis of compensation. You have to do that before you select a firm. You
1053 at least have to do that.

1054 **Chairperson Botel:** Okay. So we have to inquire as to Grau's basis of
1055 compensa'..., compensation and...

1056 **City Attorney Wynn:** All of the..., all three firms.

1057 **Chairperson Botel:** All three firms.

1058 **City Attorney Wynn:** Right. As to the basis of compensation.

1059 **Councilperson McCoy:** So, I was gonna ask a...

1060 **Chairperson Botel:** So...

1061 **Councilperson McCoy:** ...question. I'll wait.

1062 **Chairperson Botel:** So, just one sec. So, post'..., we have to postpone even further
1063 our audit? I mean, this thing was due at the state, when did Mr. Sherman say?
1064 Yesterday?

1065 **City Attorney Wynn:** No. You...

1066 **Chairperson Botel:** So, you're saying that...

1067 **City Attorney Wynn:** ...have to...

1068 **Chairperson Botel:** ...now... We have to now ask these three firms what the...

1069 **City Attorney Wynn:** That's why ...

1070 **Chairperson Botel:** ...compensation...

1071 **City Attorney Wynn:** ...they're... That's why they're on the line. So that they can
1072 participate in that with you. The statute says that the governing body shall inquire of

1073 qualified firms, as to the basis of compensation. So, all of them, whatever they put in their
1074 bid documents, have to let you know what they base their compensation on.

1075 **Chairperson Botel:** And, and it's appropriate to do that at a public meeting like
1076 this?

1077 **City Attorney Wynn:** You have to. Absolutely.

1078 **Chairperson Botel:** Okay.

1079 **City Attorney Wynn:** That's what the statute says.

1080 **Chairperson Botel:** I guess...

1081 **Procurement Director Pemsel:** Excuse me.

1082 **Chairperson Botel:** ...we have to hear... Who's speaking? Ms. Pemsel.

1083 **Procurement Director Pemsel:** Yes. Chair. In the, in the, the, the statute, it talks about
1084 the top ranked firm, and you have to negotiate and try to enter into a contract one by one.
1085 So, it was my understanding that we could discuss the compensation of the top ranked
1086 firm. If you don't reach a contract, then you can go to the other ones.

1087 **City Attorney Wynn:** That's not correct.

1088 **Councilperson Miller-Anderson:** Is that...

1089 **City Attorney Wynn:** No. Ms. Pemsel, the statute says, the governing body shall
1090 inquire of qualified firms, plural, as to the basis of compensation, select one of the firms
1091 recommended by the Auditor Selection Committee and negotiate a contract. And then it
1092 tells you the methods for negotiating the contract.

1093 [Inaudible comment]

1094 **City Attorney Wynn:** So, the Audit Committee recommended three firms, the
1095 Council has to inquire of those firms as to the basis of compensation.

1096 **Chairperson Botel:** So, and you're saying that we have to do that...

1097 **City Attorney Wynn:** Tonight.

1098 **Chairperson Botel:** ...in this public... Tonight? Okay.

1099 **City Attorney Wynn:** Yes.

1100 **Chairperson Botel:** Does the statute speak about the method for..., the stat'...,
1101 statute is mute, is m'..., mute on the issue of the method for determining the top firm? Is
1102 that up to the Council? Is it up to the Audit Committee? Is it up to...

1103 **City Attorney Wynn:** The statute says that the Audit Committee is to rank and
1104 recommend no., in order of preference, which they did, no fewer than three firms deemed
1105 to be the most highly qualified.

1106 **Chairperson Botel:** Okay.

1107 **City Attorney Wynn:** After that, the governing body shall inquire the qualified firms
1108 as to the basis of compensation, select one of those firms recommended, and negotiate
1109 a contract. And then it talks about how you go about negotiating the contract, based on
1110 whether or not compensation was one of the factors established pursuant to the
1111 evaluation of the firms. In this instance, Ms. Pemsel has informed us that compensation
1112 was not one of the factors considered, and Ms. Lanier verified that, that they did not
1113 consider compensation. And so, you., after you inquire, then you go into the paragraph
1114 of the statute that talks about how you get to the negotiation of the firms based on
1115 compensation not being a factor. If compensation were a factor, then we would move to
1116 a different paragraph in the statute.

1117 **Chairperson Botel:** Okay. So, Mr. Evans, I suppose you can let us know which
1118 firms are represented because I don't know the., I th'., I see Mr. Roderick Harvey. I think
1119 he's a representative?

1120 **City Manager Evans:** Ms. Pemsel, if., if, if you can walk the Board through that
1121 process.

1122 **Procurement Director Pemsel:** We received, in order to expedite the process,
1123 Procurement received the pricing for three of the firms. They are still sealed because we
1124 did not consider pricing, so that was not shared with the Committee at all. The only pricing
1125 that was shared was the pricing with the top ranked firm. If you hold on just a second, I
1126 will get the pricing for the other firms.

1127 I do not have the pricing for HCT, only for S. Davis & Associates, Grau and...
1128 Those two firms.

1129 **Chairperson Botel:** So how, how can we consider., it wouldn't be a fair process if
1130 we didn't consider all of the firms? I mean, how, how do we manage that, Ms. Wynn?

1131 **Procurement Director Pemsel:** We... Yeah. We did request it several times from HCT
1132 and they did not provide it so I don't have that available, but I do have Grau and., I do
1133 have Grau available and also S. Davis & Associates. And they're on the line too so they
1134 can share as well.

1135 **Councilperson McCoy:** Madam Chair?

1136 **Chairperson Botel:** Mr. McCoy.

1137 **Councilperson McCoy:** Ms. Pemsel, are you saying they're still sealed at this point?

1138 **Procurement Director Pemsel:** They were not provided to the Audit Committee. That's
1139 correct. They were not provided to... Only the top ranked firm was provided to the Audit
1140 Committee.

1141 **City Attorney Wynn:** I, I...

1142 **Councilperson Lanier:** Madam Chair?

1143 **City Attorney Wynn:** ...think, Mr. McCoy, what she's also saying is that HTC never
1144 submitted their compensation. So, no'.., no one, I guess, on the City side knows what
1145 their basis of.., what their dollar amount is. They never submitted it, although requested.

1146 **Councilperson Lanier:** And, Madam Chair?

1147 **Councilperson McCoy:** [Stammer]...

1148 **Chairperson Botel:** Yes. Ms. Lanier.

1149 **Councilperson McCoy:** May I finish?

1150 **Councilperson Lanier:** Madam Chair, we... Sorry, Mr. McCoy. Madam Chair, if we
1151 [stammer], in doing the whole process of this, going through each of these firms and
1152 reviewing their information, we, meaning not we, but the Purchasing Department, Ms.
1153 Pemsel, kept asking, she would tell us every meeting, 'HCT has not submitted their
1154 funding piece.' Next meeting, 'HCT has not submitted their funding piece.' So, if we're
1155 at the meeting to make a decision about this and they still have not submitted their funding
1156 piece, then that disqualifies them.

1157 **Unk.:** Ms. Wynn?

1158 **Councilperson Lanier:** We don't have it to make a decision with.

1159 **Chairperson Botel:** Ms. Miller-Anderson, and then..., well, if Ms. Wynn can weigh
1160 in on that. Ms. Miller-Anderson.

1161 **Councilperson Miller-Anderson:** So, okay. So, my question is now, if that's the
1162 case, why are they being presented to us if they did not do everything that you're saying
1163 they were supposed to do? Ms., Ms. Pemsel?

1164 **Chairperson Botel:** I don't think they were... They weren't being presented to us.
1165 Grau was being presented to us.

1166 **Councilperson McCoy:** Which is still wrong, Madam Chair.

1167 **Councilperson Miller-Anderson:** No.

1168 **Chair Pro Tem Lawson:** That's wrong. Because it's not...

1169 **Chairperson Botel:** Okay.

1170 **Councilperson Miller-Anderson:** It sounds like...

1171 **Chairperson Botel:** I'm, I'm just saying...

1172 **Councilperson Miller-Anderson:** ...the whole process... It seems like the whole
1173 process may have started off with.., as, a flaw. If you're saying that you all did not take...
1174 Ms. Wynn, are you saying they needed to take the'.., into consideration the amounts?
1175 Bef'... When they started to do... No?

1176 **City Attorney Wynn:** No. They, they planned.., my understanding is that when
1177 they.., when this started, that they planned not to consider compensation. However, Ms.
1178 Pemsel and the Procurement Department asked for the compensation and she did not
1179 receive it from HTC. Ms. Pemsel, is that correct?

1180 **Councilperson Miller-Anderson:** But somebody said that they did not take that
1181 into.., I think it was Ms. Lanier said...

1182 **Procurement Director Pemsel:** Yeah.

1183 **Councilperson Miller-Anderson:** ...they were not taking that into consideration
1184 when they were doing their...

1185 **Councilperson Lanier:** No. We took...

1186 **Councilperson Miller-Anderson:** ...discussions.

1187 **Councilperson Lanier:** ...we took none of.., we took none of the funding pieces from
1188 any of the agencies into consideration. We wanted to...

1189 **Councilperson Miller-Anderson:** Okay.

1190 **Councilperson Lanier:** ...we wanted to rank them, and we wanted to review them
1191 based on qualifications and quality assurance, not money. So...

1192 **Councilperson Miller-Anderson:** Okay.

1193 **Councilperson Lanier:** ...the money part comes in now. Where the Committee
1194 submits three firms, gives you a top firm and you decide, this Board decides where they
1195 wanna go with that based on now looking at the money part.

1196 **Councilperson Miller-Anderson:** Okay. And if we didn't get the funding amount
1197 from the one firm...

1198 **Councilperson Lanier:** Then that's...

1199 **Councilperson Miller-Anderson:** ...why are they being presented to us if they
1200 don't qualify?

1201 **Councilperson Lanier:** They are, they are on the list. We're not presenting them to
1202 you. All we're saying is that, we have these top three firms, one of these firms did not
1203 present their money. You, this Board, decides to say if they still want to hear them. But
1204 all we did was present the top three to you. But we did ask for that information from this
1205 firm throughout the whole process.

1206 **Councilperson Miller-Anderson:** Okay.

1207 **Chairperson Botel:** Alright. Mr. McCoy and I think Mr. Lawson, but he just
1208 stepped away. Mr. McCoy.

1209 **Councilperson McCoy:** I'm sorry. Did you just say you were asking throughout the
1210 process if., if you weren't concerning yourself with it, why would you need to ask?

1211 **Councilperson Lanier:** No. That's what Ms. Pemsel was telling us, that she had been
1212 requesting it, but she had not received it. When we asked what agencies, what they were
1213 missing. What they had not sent in, that firm was the one that, that she said, 'I just have
1214 not gotten that piece from them yet.'

1215 **Procurement Director Pemsel:** If I may? And this was asked after all of the
1216 deliberations had concluded. After the ranking took place. I asked the firms earlier than
1217 that, but it was coming only to Procurement. It was never shared with the Committee.
1218 Never.

1219 **Councilperson McCoy:** Well...

1220 **Councilperson Lanier:** So that's basically three levels of review. This level of review
1221 that, this third level, is for the Council to do and they have to consider money. We never
1222 considered money.

1223 **Councilperson McCoy:** Even though you said that you guys requested it?

1224 **Councilperson Lanier:** I just., I did not say I said we, I said Ms. Pemsel requested it,
1225 as a part of Procurement. I did not say that the Committee requested this. This was...

1226 **Councilperson McCoy:** And I'm ask'...

1227 **Councilperson Lanier:** ...something that she told us, this... No. We did not request
1228 it. I'm telling you. Ms. Pemsel requested it. The Purchasing Department requested it.

1229 **Councilperson McCoy:** I, I can't hear you. Did you say you requested it?

1230 **Councilperson Lanier:** You know what?

1231 **Chairperson Botel:** Ms. Pemsel?

1232 **Procurement Director Pemsel:** Yes, ma'am.

1233 **Councilperson McCoy:** Hello.

1234 **Chairperson Botel:** Mr. McCoy is asking a question, I think.

1235 **Procurement Director Pemsel:** Yes. I requested it.

1236 **Chairperson Botel:** [Chuckle].

1237 **Chair Pro Tem Lawson:** Madam Chair?

1238 **Chairperson Botel:** Yes, Mr. Lawson.

1239 **Chair Pro Tem Lawson:** Yes. I was just pulling up the RFP and... Hold on. 'Cause I
1240 remember reading in the RFP, it saying that it specifically requested not to provide pricing,
1241 as to not be disqualified. But I'm just trying to find it so I can give you a reference point.
1242 Give me one second.

1243 **Chairperson Botel:** Well, Ms. Pemsel, you issued the RFP, is that what it says?
1244 Just so that Mr. Lawson can.., you can help Mr. Lawson...

1245 **Procurement Director Pemsel:** Yes.

1246 **Chairperson Botel:** It did?

1247 **Procurement Director Pemsel:** Yes.

1248 **Chairperson Botel:** Okay.

1249 **Procurement Director Pemsel:** Mhmm. Yes. But that was only in connection with
1250 them submitting their proposals. We wanted to make sure that since they were looking
1251 at only qualifications, that price wasn't submitted with the proposal. That was the...

1252 **Chair Pro Tem Lawson:** So...

1253 **Procurement Director Pemsel:** ...purpose of, of that.

1254 **Chair Pro Tem Lawson:** So, when was the proposal requested... I'm sorry, when was
1255 the price requested from the three firms?

1256 **Procurement Director Pemsel:** After...

1257 **Chair Pro Tem Lawson:** Because it looks like...

1258 **Procurement Director Pemsel:** Go ahead.

1259 **Chair Pro Tem Lawson:** So, when.., so, it was requested after the RFP process, after
1260 the review was completed?

1261 **Procurement Director Pemsel:** Yes, sir.

1262 **Chair Pro Tem Lawson:** Got you. Okay.

1263 **Chairperson Botel:** Ms. Pemsel, would, would the firm who... I'm sorry, Mr.
1264 McCoy, go ahead.

1265 **Councilperson McCoy:** So, Pemsel, are you saying that there is something in the
1266 solicitation that says that they are not to submit it?

1267 **Procurement Director Pemsel:** Yes. That's correct. We wanted to...

1268 **Councilperson McCoy:** [Inaudible]...

1269 **Procurement Director Pemsel:** ...ensure that when they submitted their proposal, their
1270 qualifications, the Audit Committee, when they drafted the solicitation, they were very
1271 clear that their goal was to look at their qualifications.

1272 **Councilperson McCoy:** Okay...

1273 **Procurement Director Pemsel:** And not their.., and not their pricing. So, that's the
1274 statement that.., what was included in the solicitation as a result.

1275 **Chairperson Botel:** But you asked them to submit that information after the... At
1276 what point did you ask them? Before the oral presentations or after?

1277 **Procurement Director Pemsel:** Yes.

1278 **Chairperson Botel:** It doesn't matter but... But you've asked...

1279 **Procurement Director Pemsel:** [Inaudible].

1280 **Chairperson Botel:** ...them and they haven't...

1281 **Procurement Director Pemsel:** Yeah. Between the time the oral presentations was
1282 taking place so that at the end of the deliberations, I could provide it to them.

1283 **Chairperson Botel:** Okay. And...

1284 **Procurement Director Pemsel:** [Inaudible]...

1285 **Chairperson Botel:** ...they haven't...

1286 **Procurement Director Pemsel:** ...they were not shared with the Committee.

1287 **Chairperson Botel:** When, when.., how recently did you ask them to provide you
1288 with that information?

1289 **Procurement Director Pemsel:** Let's see. I think.., I have for S. Davis & Associates, I'd
1290 have to look at their exact email but I think it was around the end of May, like, May, May...
1291 No, I'm sorry, early June because we had scheduled the first presentations at the 11th.
1292 So, it was around that time. Either a week before...

1293 **Unk.:** [Inaudible].

1294 **Chairperson Botel:** Okay.

1295 **Procurement Director Pemsel:** ...that time that I requested that.

1296 **Chairperson Botel:** Okay. So, they've had almost...

1297 **Procurement Director Pemsel:** [Inaudible]...

1298 **Chairperson Botel:** They had almost a month to provide you with that information?
1299 I'm getting feedback. Is that your... And they haven't. Would, would you typically
1300 disqualify a firm if they hadn't provided the information you requested?

1301 **Procurement Director Pemsel:** Typically, yes. At this..., I probably wouldn't disqualify
1302 them at this point because of where they were in the rankings.

1303 **Chairperson Botel:** So you, you're..., you were assuming that they weren't..., they
1304 wouldn't be chosen anyway because they were third in the ranking?

1305 **Procurement Director Pemsel:** Exactly.

1306 **Chairperson Botel:** Okay.

1307 **Procurement Director Pemsel:** And, even...

1308 **Chair Pro Tem Lawson:** Ma'...

1309 **Procurement Director Pemsel:** ...after oral presentation, I requested them to send the
1310 pricing, you know, again.

1311 **Chairperson Botel:** Right. Okay.

1312 **Chair Pro Tem Lawson:** Madam Chair?

1313 **Chairperson Botel:** Mr., Mr. Lawson.

1314 **Chair Pro Tem Lawson:** Thank you. Just a follow up. Ms. Wynn, requirements in
1315 regards to RFP, wouldn't we have to resubmit or do an amendment to this RFP, or submit
1316 it in writing to all three firms, to give them the opportunity to provide their financials or
1317 their, their bid for this proposal? To make it legal?

1318 **City Attorney Wynn:** I can't answer that question, Mr. Lawson. I think only Ms.
1319 Pemsel can. I don't get involved, and never have, on the RFP side.

1320 **Chair Pro Tem Lawson:** Okay. Because, from my understanding, it would have to be
1321 a legal process of issuing a written proposal to all responsive firms to provide financials
1322 since the RFP that was issued originally said do not submit your financials. So there
1323 would have to be an addendum to the RFP submitted to all three firms.

1324 **Chairperson Botel:** Well, I think, Mr. Lawson, certainly a communication from the
1325 Purchasing Director to all three firms would, would suffice to have those firms submit their
1326 financials. I mean, you wouldn't have to have a new RFP. They've already replied to the
1327 RFP or RFQ, if we wanna call it that, and now the..., our Purchasing Director has asked
1328 them to provide financials and they've refused to do so.

1329 **Councilperson McCoy:** [Inaudible].

1330 **Chair Pro Tem Lawson:** I, I think there has to be... I'm...

1331 **Councilperson McCoy:** [Inaudible].

1332 **Chair Pro Tem Lawson:** ...I'm sorry. I, I don't, I don't think that's the process, Madam
1333 Chair. I think an addendum to the RFP has to be submitted...

1334 **Chairperson Botel:** Ms. Pemsel...

1335 **Chair Pro Tem Lawson:** ...because the original...

1336 **Chairperson Botel:** Ms. Pemsel, could...

1337 **Chair Pro Tem Lawson:** Because the original...

1338 **Chairperson Botel:** ...you respond to that.

1339 **Chair Pro Tem Lawson:** ...RFP that was submitted specifically requested for no
1340 financials. So, from my understanding, legally, you would have to submit an addendum
1341 to the RFP to make it a, a legal required document to add to this RFP process. So, a, a
1342 text message, email, or phone call from our Director is not..., doesn't suffice to provide
1343 financials for a RFP response.

1344 **Chairperson Botel:** Ms. Pemsel?

1345 **Procurement Director Pemsel:** The solicitation has language in there that we can ask
1346 any additional questions or anything that we need to make a decision about the solicitation
1347 itself. It is not unusual to..., for the Procurement Department to reach out and gather
1348 additional information to finalize that.

1349 And generally, addendums are issued while the solicitation is still open. It is not
1350 normally the practice to amend the solicitation. They knew that we wanted pricing, they...,
1351 we just wanted to be clear to not submit it with the proposal.

1352 **Councilperson McCoy:** Well, I, I don't know that you were clear, and I've asked twice
1353 now, where exactly within the solicitation does it speak to not sending in or setting a price?
1354 Ms. Pemsel? Or anybody that would... Actually, Ms., Councilwoman Lanier, they would
1355 have created it. Do you know where you guys would've put in anything about not
1356 submitting a price?

1357 **Procurement Director Pemsel:** I think...

1358 **Councilperson Lanier:** No. This was... Go ahead, Ms. Pemsel.

1359 **Procurement Director Pemsel:** I'm sorry. I think the page where we asked for the
1360 hours, it may be on that page.

1361 **Councilperson McCoy:** Okay.

1362 **Councilperson Lanier:** So look at that.

1363 **City Attorney Wynn:** I have a question.

1364 **Procurement Director Pemsel:** [Inaudible], Councilwoman Lanier.

1365 **City Attorney Wynn:** Because..., and, and maybe this could move this along.

1366 **Chairperson Botel:** Okay.

1367 **City Attorney Wynn:** Ms. Pemsel, if they haven't submitted their compensation, are
1368 they disqualified or are they still in the running, if you will?

1369 **Procurement Director Pemsel:** At this point, we don't have anything to make a decision
1370 with. We don't have anything for the Council to consider as..., in accordance with your,
1371 your comments on the statute, that they review the pricing. The only fee schedules we
1372 have available are from Grau & Associates and from S. Da'..., and, and S. Davis &
1373 Associates. So that's all we can consider. So, if it, if it's the will of the Board to disqualify
1374 them, then they can do so on that basis.

1375 **Councilperson Lanier:** Madam Chair?

1376 **Chairperson Botel:** [Inaudible]...

1377 **Councilperson Lanier:** I don't think, I don't think...

1378 **City Attorney Wynn:** But if it wasn't a requirement, how do they get to
1379 disqualification? That's what I'm trying to understand.

1380 **Procurement Director Pemsel:** Well, that's why they..., we didn't..., the Audit Committee
1381 did not, and neither did I, recommend disqualification. But it seems that there's an issue
1382 of responsiveness at this point, because of where we are in the process.

1383 **Councilperson McCoy:** But, let me...

1384 **Chairperson Botel:** I'm trying to do this in order. Ms. Miller-Anderson had her
1385 hand up first, then Mr. McCoy and then Ms. Lanier. Miller-Anderson.

1386 **Councilperson Miller-Anderson:** So that, that's concerning to me. I agree with
1387 what Mr. Lawson is saying, you have to..., people need to know when they are bidding on

1388 something, they need to know what all of the rules to the game are, you know, as they're...
1389 before they put in. And, I definitely don't suggest that we disqualify them. I think that
1390 would be very unfair if you're saying now, tonight, well they didn't submit it unless you can
1391 point directly to the specific language in the RFP that says that it needed to..., the only
1392 way you could be considered is if that amount was presented. If that's not in there, I don't
1393 s'..., I don't see following that, that line of action.

1394 The other thing, I, I wanna be very clear and make sure the public is understanding
1395 of the comments that Dr. Botel made in regards to HCT being our Auditor, being our CPA
1396 for the past ten years, and basically, placing the blame on them for the insurance issues
1397 and all of the other things that have occurred that may have been as a result of them not
1398 identifying it. And, I don't know if Mr. Sherman or Ms. Wynn can e'..., can kinda weigh in
1399 on that because, you know, we do not want to slander s'..., anyone. I, I think that would
1400 be... Unless that ha'..., if that had ever been an issue, that should've been brought,
1401 brought up many times ago. We could've gotten rid of them a long time ago if that was
1402 the issue, and to... And I'm not sure if the Audit Committee had that thought in their head
1403 when..., or, were aware of that or even considered that when they decided to do their oral
1404 rankings. I would, I would assume that would not be the case but I certainly need to make
1405 sure that we put on record, if that is the case, that they were poss'..., they possibly
1406 overlooked all of that and if so, how did they overlook it? What should they have caught?
1407 And if not, if they did, why are we just now bringing it up tonight? Because I don't think
1408 it's fair to just throw stuff out there. You need to have facts.

1409 **Councilperson Lanier:** Madam Chair?

1410 **Chairperson Botel:** Mr. Sherman, did you wanna res'... I think [stammer] Ms.
1411 KaShamba Miller..., Ms. Miller-Anderson was asking Mr. Sherman...

1412 **Councilperson Miller-Anderson:** Or Ms. Wynn.

1413 **Chairperson Botel:** ...a question, I think. Or Ms. Wynn. Mr. Sherman or...

1414 **Finance and Administrative Services Director Sherman:** Okay. The, the issue that
1415 we had with the insurance, I do not think would've been picked up through normal internal
1416 review. 'Cause the issue was, you're looking for the authority to pay, you're looking to
1417 make sure that it's a City expense and the process that was going along, someone from
1418 Human Resource was signing the invoices. So, if any auditor selected that invoice for
1419 review, they would've looked at it, would've said it's our health insurance, City expense
1420 and it's been approved by a department. So, I don't think that that would've necessarily
1421 have, have picked that up. The way that we picked it up in Finance is during the review
1422 process during an enrollment period, where the numbers, the counts that were being
1423 provided to us by the insurance company did not match the counts that were..., of our
1424 employees. There were far more members in the insurance count than in the City count.
1425 And then digging a little deeper, that's where we found the discrepancies. And then,
1426 obviously, you go back and that's how we found, you know, that there were people on the
1427 insurance count that shouldn't've been on there.

1428 So, I don't think a normal internal control process, you know, I mean, Mr. Harvey
1429 and I have done them for the last five, seven years, however many years it's been. I, you
1430 know, it., I don't think that would've...

1431 **Councilperson Lanier:** Madam...

1432 **Finance and Administrative Services Director Sherman:** ...been picked up during
1433 that process.

1434 **Councilperson Miller-Anderson:** And, and... Hold... Let me finish, please. Let
1435 me finish, please. That's what I wanted to make sure that we were very clear on that, just
1436 arbitrarily throwing that out there and if there were issues, I've been on the Council for
1437 five years, I have never heard of that, the, the allegations of the fact that he did not., his
1438 organization did not pick up on something. So, I certainly don't want., I don't think it's fair
1439 to put that out there because we're talking about a business' reputation, and so, Dr. Botel,
1440 I really would, would...

1441 **Chairperson Botel:** I, I...

1442 **Councilperson Miller-Anderson:** ...like to hear you respond to that. Okay?

1443 **Chairperson Botel:** Thank you. I, I, I regret saying anything that might've hurt
1444 someone's reputation and I think that we can move on. I think Mr. McCoy is...

1445 **Councilperson McCoy:** Yes. 'Cause [inaudible] wanna ask that question that
1446 KaShamba Mill'., Councilwoman Miller-Anderson asked, is that a consideration of the
1447 Committee?

1448 **Councilperson Miller-Anderson:** Right.

1449 **Councilperson Lanier:** And let me., and let me, Madam Chair, let me say...

1450 **Chairperson Botel:** Yes.

1451 **Councilperson Lanier:** ...that that was not a consideration of the Committee.

1452 **Councilperson McCoy:** Okay.

1453 **Councilperson Lanier:** The, the Committee wanted to have., the, the conversation
1454 that the Committee had around this [stammer] the, the length of time that the, the firm
1455 was a part of the City., the City's employee, was the fact that they wanted to look at fresh
1456 eyes, they wanted to get., and it's typical for a government and nonprofit agencies, in five
1457 to seven years, to be able to, to change firms. They wanted to., [stammer], let me put it
1458 this way, we were not talking about so much changing firms, as we were looking for
1459 something different.

1460 **Councilperson McCoy:** Okay. Well that...

1461 **Councilperson Lanier:** So, there was no, there was no, there was no co'..., there was
1462 no conversa'..., not, not so much conversation but there was no merit or a point to sign
1463 because an agency, or the firm that we have, did not pick up on something in the past.
1464 That was, that was, that wasn't used in terms of metrics.

1465 **Councilperson McCoy:** But...

1466 **Councilperson Lanier:** What we had a conversation about, if there was anything
1467 close to this, it was a conversation about the length of time that the firm had been at the
1468 City and how are we going to look at fresh new ideas, and that was one of the main
1469 reasons that we did have the oral piece to it because we wanted to see those fresh ideas.
1470 And it didn't matter who they came from.

1471 **Councilperson McCoy:** But, if I'm clear, you just said you guys were looking to change
1472 every five to seven years. But that wasn't the...

1473 **Councilperson Lanier:** I did not... No. We did not., I did not say that, Mr. McCoy. I
1474 said nonprofits and governmental entities typically change audit firms every five to seven
1475 years.

1476 **Councilperson McCoy:** Okay. My mistake.

1477 **Councilperson Lanier:** And I'm not saying that we used that either, as a basis for our
1478 rankings. These..., this is all conversations that you can go back to the recordings, over
1479 those..., over that month and a half to show the conversations that we had. There was no
1480 disparaging remarks about a particular firm or not, there was just conversation about how
1481 we would want to look at, not what they, what they were going to charge us, but looking
1482 at the actual quality of work they were gonna bring to the table for the City. And that was
1483 it.

1484 **Chairperson Botel:** Thank you. Could I ask either Mr. Lawson or Ms. Miller-
1485 Anderson to come back on the screen so we have quorum. Oh wait, we do. I'm sorry.
1486 We, we have three. Never mind.

1487 **Councilperson McCoy:** Question. So...

1488 **Chairperson Botel:** Any other..., anything else? 'Cause we really... We've
1489 taken...

1490 **Councilperson McCoy:** I [inaudible]...

1491 **Chairperson Botel:** I know this is important but go ahead Mr. McCoy.

1492 **Councilperson McCoy:** So, it, it clearly says here, and I was able to locate it by
1493 searching the RFP, in bold and underlined, do not submit any hours or billing rates comma
1494 doing so will result in disqualification. So, so are we beyond that? Because I, I mean, I
1495 don't know if this is the reason or perhaps we should query the firm that didn't submit but

1496 are we beyond the point of considering that [audio skipped] not submitting their rates was
1497 some kind of a...

1498 **Councilperson Lanier:** If they... I'm sorry, Mr. McCoy, I didn't mean to interrupt you.
1499 Go ahead.

1500 **Councilperson McCoy:** My question was, are we beyond that point, or is that still a
1501 issue of this body, that they didn't submit the numbers when I see something in the RFP
1502 that gives that direction not to? And...

1503 **Chairperson Botel:** Well...

1504 **Councilperson McCoy:** ...[inaudible]...

1505 **Chairperson Botel:** Go ahead.

1506 **Councilperson McCoy:** ...going through this, if you look at the statute, the statue kinda
1507 refers to this process as the Council, or the governing body, I, I believe it says, shall
1508 negotiate a contract with a firm. Is that..., you know, obviously, this must be something
1509 very new, relatively new, to negotiate with a firm but is that a reason not to submit your
1510 financials ahead of time? Ms. Pemsel or perhaps...

1511 **Chairperson Botel:** Mr... Mr. Evans looks like he wants to respond. Mr. Evans.

1512 **City Manager Evans:** If it..., as, as it relates to whether..., obviously, I think it's
1513 acutely, or it's, it's abundantly obvious that the top three firms are going to remain in the
1514 process for some type of selection by the Council. I would recommend to be able to bring
1515 this to some type of conclusion, that you set an amount not to exceed the amount that
1516 was proffered in the Agenda Item and then, obviously, if you..., those other firms are
1517 selected, then we negotiate within those parameters and then execute the contract
1518 accordingly. Because I think what we're having is a situation where one firm hasn't
1519 provided that number, the other firms have provide provided their numbers and it's, you
1520 know, adding some additional confusion to the process. So, if you, if you want to select
1521 whichever audit firm, as long as we know what that threshold is, then we can operate
1522 accordingly and, and execute a contract within the amount that's budgeted for
1523 professional services for auditing.

1524 **Councilperson Lanier:** Madam Chair?

1525 **Chairperson Botel:** Yes, Ms. Lanier.

1526 **Councilperson Lanier:** I, I just think that we should have the firms to submit the, the
1527 amount that they want to charge the City, have HCT go first. They had'..., they hadn't put
1528 their information in, have them go first and then have, have the next one go, and have
1529 the next one go and then we go from there. I think we're kinda getting bogged down
1530 and...

1531 **Chairperson Botel:** We are.

1532 **Councilperson Lanier:** ...you know, this kind of back and forth... So have HCT to
1533 provide their funding amounts, have the other firms to provide their funding amounts and
1534 then lets go from there.

1535 **Chairperson Botel:** Alright. Ms. Pemsel, do you have a suggestion about, I think
1536 it was..., who was the HCT representative?

1537 **Procurement Director Pemsel:** There were two. There's a Mr. Padman [sp], also Mr.
1538 Harvey.

1539 **Chairperson Botel:** And are, are the representatives from the other firms also in
1540 the meeting?

1541 **Procurement Director Pemsel:** Yes, they are, ma'am.

1542 **Chairperson Botel:** Okay. So let's hear from Mr. Harvey with regard to his fees.

1543 **Chair Pro Tem Lawson:** Madam Chair, quick question before we go to Mr. Harvey. Do
1544 we..., Ms. Pemsel, do we have a Cone of Silence on this proposal? This RFP?

1545 **Procurement Director Pemsel:** Yes. A...

1546 **Chair Pro Tem Lawson:** When does it expire?

1547 **Procurement Director Pemsel:** At the time of decision. [Chuckle].

1548 **Chair Pro Tem Lawson:** You mean, after tonight's decision?

1549 **Procurement Director Pemsel:** Yes. So, it's now in..., it's now sort of in a open forum.
1550 So...

1551 **Chair Pro Tem Lawson:** Mhmm.

1552 **Procurement Director Pemsel:** Yeah. So, the Cone of Silence kind of ended once we
1553 hit the open forum, tonight.

1554 **Chair Pro Tem Lawson:** Okay. Thank you, Ms. Pemsel. Thank you, Madam Chair.

1555 **Chairperson Botel:** Thank you. Ms. Pemsel. You were calling on Mr. Harvey, I
1556 think. Mr. Harvey?

1557 **Mr. R. Harvey:** Yes. Can you hear me?

1558 **Chairperson Botel:** Yes.

1559 **Mr. R. Harvey:** Thank you so much.

1560 **Chairperson Botel:** No. You're getting terrible feedback. Yeah.

1561 **Mr. R. Harvey:** Hold on. [Pause]. Yes. Good afternoon. Thank you so much for
1562 the opportunity to speak to the Mayor and Council. We appreciate the opportunity.

1563 One question we have as it relates to the pricing, or the question as posed by the
1564 Attorney, the basis for our compensation is based on the number of hours that we budget
1565 for the engagement. It is also based on the skill and talent of the auditors assigned, and
1566 also the CPA's that is assigned. One quick note, parenthetical note, is the RFP lists Mr.
1567 Ricky Little as the key contact. It was never identified to us there was anyone different
1568 and because of Attachment 1, which clearly says disqualification, we were looking for,
1569 and we did discuss with Mrs. Pemsel, about a formal letter or documentation that we
1570 could stand on because we did not wanna be disqualified. At this time, I am not sure if
1571 the Committee wants a flat number, which we can provide for our auditing services, or if
1572 they want a scale score based on the category. And either way, we are prepared to
1573 provide that information to the Council tonight.

1574 **Chairperson Botel:** Ms. Pemsel, for purposes of comparison, what information do
1575 you have from the other firms who did submit their financials? Or their...

1576 **Procurement Director Pemsel:** I, I do have their...

1577 **Chairperson Botel:** ...compensation?

1578 **Procurement Director Pemsel:** I do have their five year fee schedule.

1579 **Chairperson Botel:** Okay. So that's what we would want to see from HCT?

1580 **Mr. R. Harvey:** Okay. Consistent with our other pricing, we would provide a five year
1581 fee schedule, that will be flat, without any, any escalators. And, our fee for each
1582 engagement year will be \$90,980. And that's based on the hours and based on the skill,
1583 and CPA, of the CPA's assigned to the team.

1584 **Chairperson Botel:** Thank you. And, Mr. Harvey, just so that I'm clear, you, you
1585 did not respond to Ms. Pemsel's request for this information because you didn't know that
1586 Mr. Little was no longer the director?

1587 **Mr. R. Harvey:** No. That is incorrect. We did provide to Mrs. Pemsel, via, via email,
1588 we asked her to identify herself. We did not know who she was. We also stated to her
1589 that Attachment 1 clearly says do not give any prices or budgets, and also, I believe, that
1590 my assistant had a discussion with Mrs. Pemsel regarding it. So, we believe that upon
1591 selection for this discussion, that we could provide our pricing. So, we' appreciate the
1592 opportunity to discuss these items with you now.

1593 **Chairperson Botel:** Thank you. Okay. Ms. Pemsel, who else is here?

1594 **Procurement Director Pemsel:** We have Grau & Associates, and also, S. Davis &
1595 Associates.

1596 **Chairperson Botel:** Okay. Let's hear from either one. I don't care, you pick.

1597 **Procurement Director Pemsel:** Grau & Associates, please.

1598 **Ms. R. McIntosh:** Good evening, Madam Chair, Members of the City Council. My
1599 name is Raquel McIntosh. And, I am an audit partner with the firm. I would like to thank
1600 you for allowing us to submit a proposal for the audit services for the City.

1601 We have sent our proposed fees to Ms. Pemsel. We also base our fees on the
1602 number of hours, the quality of our staff. In our staffing plan, we have no staff auditors
1603 working on the audit, we only have managers and senior auditors, who are all CPA's.
1604 And so, the skill level of our auditors is a factor in our price. We also have a very detailed
1605 audit plan that we follow, that includes a detailed IT review. And so, based on the City's
1606 size and complexity and the number of hours we believe that it will take to perform the
1607 audit services, our fee for the total of five years would be \$460,000 or \$92,000 a year.

1608 **Chairperson Botel:** Thank you.

1609 **Councilperson Lanier:** I'm sorry. Have her repeat that.

1610 **Chairperson Botel:** \$92,000 a year.

1611 **Councilperson Lanier:** Okay.

1612 **Chairperson Botel:** Thank you. And, Ms. Pemsel, the last firm.

1613 **Procurement Director Pemsel:** The last firm is S. Davis & Associates. Madam Chair,
1614 if I may ask? I wanted to clarify, HCT, that their fees include CRA as well. Mr. Harvey,
1615 can you confirm that your fees include CRA as well, please?

1616 **Mr. R. Harvey:** Yes. Because the RFP includes the City and the CRA.

1617 **Procurement Director Pemsel:** Thank you. S. Davis & Associates. I believe it's Ms.
1618 Tanya Davis.

1619 **Ms. T. Davis:** Yes. Thank you so much for the opportunity to, to present the basis
1620 for our, our fee.

1621 As is often customary, Procurement or the selection committee can ask for
1622 additional information after the..., after proposals and bids are submitted and upon request
1623 by the Procurement Director, we did answer and present our fee proposal, probably within
1624 twenty-four hours of that request, if not the same day. Our proposal, fee proposal as well,
1625 is, is based on the number of hours we anticipate the, the audit taking, it's based on the
1626 skill level of the auditors that we expect to assign to the engagement. We do have
1627 auditors from partner level to staff level included in, in what we think the assignment we
1628 think will be assigned, however, I would like to point out that there's a [audio breaking up]
1629 percentage of our anticipated hours that are attributed to senior management, the
1630 managers themselves and the partners. The [inaudible] Managing Partner, Shaun Davis
1631 is a quality review partner.

1632 We also, just considering the, the structure of our firm and as our price proposal
1633 states, because we understand how the national, state and local declining economy'...,
1634 economies have impacted governmental entities, we took what we thought would be our
1635 price based on hours, and standard hourly rates and then we provided a discount to
1636 provide to the City. When we applied that discount, we were very much in line, I believe
1637 with the pricing for the previous contract year. And so, with our discounts and the number
1638 of hours that we expect to, to put into the audit which we think would be somewhere
1639 around five hundred hours, that discount goes to a total all-inclusive maximum price for
1640 the five years of \$275,000, which again was very much in line with the previous audit
1641 contract.

1642 And I will entertain any other questions.

1643 **Chairperson Botel:** That's fifty-five... Go..., go ahead, Ms. Miller-Anderson.

1644 **Councilperson Miller-Anderson:** What was the amount again?

1645 **Chairperson Botel:** Five hundred...

1646 **Councilperson Miller-Anderson:** [Inaudible]...

1647 **Chairperson Botel:** ...and se'..., five hundred and seventy-five I think you said, Ms.
1648 Davis.

1649 **Ms. T. Davis:** No. No.

1650 **Chairperson Botel:** I mean...

1651 **Ms. T. Davis:** It was

1652 **Chairperson Botel:** ...I mean, Two hundred and seventy-five?

1653 **Ms. T. Davis:** Two hundred and seventy-five, including the discount that we
1654 applied.

1655 **Councilperson Miller-Anderson:** That's per year or for the whole five years?

1656 **Ms. T. Davis:** For the five year period. And again, for that five..., that discount with
1657 the five year period was very...

1658 **Councilperson Miller-Anderson:** So you want me...

1659 **Ms. T. Davis:** ...close to...

1660 **Councilperson Miller-Anderson:** I gotta do some math. Okay.

1661 **Chairperson Botel:** Fifty-five a year.

1662 **Ms. T. Davis:** Okay. Which was, which was in line with the previous contract
1663 period.

1664 **Councilperson Miller-Anderson:** Okay. Thank you.

1665 **Councilperson McCoy:** Councilwoman from the 4th District, I would definitely hope that
1666 wasn't gonna be for a year.

1667 **Chairperson Botel:** [Chuckle].

1668 **Councilperson McCoy:** So.

1669 **Chairperson Botel:** There's a pretty big difference there between that and the
1670 other two but I guess that's part of the reasons why you didn't wanna consider pricing,
1671 you just wanted to look at qualifications. But...

1672 **Unk.:** Exactly.

1673 **Chairperson Botel:** ...nevertheless. Any comments, Ms. Pemsel?

1674 **Procurement Director Pemsel:** Madam Chair, I did want to ensure that everyone
1675 understood that in the solicitation, on Page 3, Paragraph 5, it says the City reserves the
1676 right before awarding the contract to require respondent to submit additional evidence of
1677 its qualifications, as it may deem necessary. And so, that's where we could ask for any
1678 additional information from the proposers.

1679 **Chairperson Botel:** Right.

1680 **Procurement Director Pemsel:** No further comments.

1681 **Chairperson Botel:** Thank you. Okay. Mr. McCoy, do you wanna... Obviously,
1682 the Resolution that we had in front of us is not something that's acceptable given that it,
1683 it calls for Staff recommendations, et. cetera. Did you want to state..., restate your motion,
1684 your substitute motion?

1685 **Councilperson McCoy:** Well, I, I... Actually, no. I, I, I wanted to make sure that we
1686 started a conversation, but I thought we were at the direction of what Ms. Wynn said as
1687 to inquire. Was that the inquiry?

1688 **Chairperson Botel:** That was...

1689 **Councilperson McCoy:** Was that...

1690 **Chairperson Botel:** ...the inquiry.

1691 **Councilperson McCoy:** ...the prices.

1692 **Chairperson Botel:** That, that... Ms. Wynn, go ahead.

1693 **City Attorney Wynn:** Yes. Yes, I believe so. Ms. Pemsel?

1694 **Procurement Director Pemsel:** Yeah. Yes.

1695 **Councilperson McCoy:** Okay. So, I need some direction and understanding the other
1696 portion about the negotiation. Like, how do we do that?

1697 **Councilperson Lanier:** Madam Chair?

1698 **Chairperson Botel:** Yes. Ms..., well, I, I..., we might wanna have a response from
1699 either Ms... If you could wait a second, Ms. Lanier, we might wanna have a response
1700 from Ms. Wynn or Ms. Pemsel, because Mr. McCoy asked a question.

1701 **Councilperson McCoy:** Right. There's a [inaudible]...

1702 **City Manager Evans:** Madam Chair?

1703 **Councilperson McCoy:** ...that's prescribed for, so...

1704 **Chairperson Botel:** Who's speaking?

1705 **Councilperson McCoy:** ...how do we do that? Because, obviously...

1706 **City Manager Evans:** Madam...

1707 **Councilperson McCoy:** ...[inaudible] proposed a price and I, I don't know, I don't know
1708 anybody that buys a car at sticker price.

1709 **Chairperson Botel:** Ms. Wynn or Ms. Pemsel, do you wanna answer Mr. McCoy's
1710 question?

1711 **City Manager Evans:** Usually, Madam Chair, usually what occurs as a result of this
1712 is that Staff would be provided the direction to negotiate the terms and conditions of a
1713 contract and bring it back for ratification. So...

1714 **City Attorney Wynn:** However, Mr. Evans, again, this is a new statute, you all, and
1715 I don't, you know, I think it could've been written better, however, we have what we have.
1716 The statute requires that the governing body negotiate the contract, but it also says that
1717 you may designate someone to negotiate on your behalf. So that could be the Staff, Ms.
1718 Pemsel, Mr. Evans, myself.

1719 **Councilperson McCoy:** Not a Member?

1720 **City Attorney Wynn:** I beg your pardon?

1721 **Councilperson McCoy:** Why not a Member?

1722 **City Attorney Wynn:** It just says the governing body may allow a de'..., a designee.
1723 So, it could be a Member. It's up to the governing body, you all as a, as a body.

1724 **Councilperson McCoy:** I'm asking because I thought this statute specifically kept Staff
1725 from being a part of the selection and negotiation process.

1726 **City Attorney Wynn:** It kept Staff from being a part of the Audit Selection
1727 Committee. However, when you get into the section of the contract, after the Audit
1728 Selection Committee has done its work and recommended at least three proposers, then
1729 you get into the contract negotiation. And when you get there, the statute says the
1730 governing body shall negotiate a contract with the firm, with the firm ranked first. In
1731 negotiations, the co'., governing body may allow a designee to conduct negotiations on
1732 its behalf. And usually, as Mr. Evans said, that's Staff.

1733 **Councilperson McCoy:** Okay. I...

1734 **City Attorney Wynn:** But it's totally up to you all.

1735 **Councilperson McCoy:** So, let me ask you this. Ms. Pemsel, the proposed contract
1736 that's included in the back of the documentation, and..., does that coincide with the same
1737 amount that [audio break up] the \$92,000 a year? The contract that you have there?

1738 **Procurement Director Pemsel:** I'm, I'm sorry. There's a bit of a storm going on in the
1739 background. Would you mind to repeat the question, please?

1740 **Councilperson McCoy:** The contract that's attached... Oh, I, I think it says a not to
1741 exceed amount. Correct?

1742 **Procurement Director Pemsel:** Yes.

1743 **Councilperson McCoy:** Okay. So, that was negotiated by whom? Or is that their, is
1744 that their price or did that come through by negotiations or how did that come to be a part
1745 of the proposed contract that's in the backup?

1746 **Procurement Director Pemsel:** They submitted their pricing to us and then we asked
1747 is this their final pricing. And they were able to offer a discount. So, it includes the
1748 discount that they offered as well.

1749 **Councilperson McCoy:** Okay. So, what was the original price? I wanna know who,
1750 who actually did the negotiations and how that actually worked. That's what I'm trying to
1751 arrive at. And, at least, it might help if you can kinda share some background as to how
1752 they got there in the beginning. And what was started off with.

1753 **City Manager Evans:** Madam, Madam Chair, if I may? Ms. Pemsel...

1754 **Chairperson Botel:** Yes.

1755 **City Manager Evans:** ...also, was the contract provided... I think the contract was
1756 provided as part of the RFP document. So, I think it was a matter of the firms filling in
1757 the, the blanks that ultimately... So, most of the nuances associated with the contract

1758 has been vetted so now it.., whatever direction the Board wants to go, I think it merely
1759 would be putting in the numbers to coincide with whichever firm is ultimately selected.

1760 Ms. Pemsel.

1761 **Procurement Director Pemsel:** Yes. That's correct.

1762 **Councilperson McCoy:** Okay. So my question is, what was the original amount, Ms.
1763 Pemsel?

1764 **Procurement Director Pemsel:** \$495,000. For the five years. Not per year.

1765 **Councilperson Miller-Anderson:** Who was that for?

1766 **Chairperson Botel:** So that's..., that was ninety-nine?

1767 [Inaudible comment]

1768 **Chairperson Botel:** I'm, I'm just looking at the, the annual. Right? So...

1769 **Councilperson Miller-Anderson:** Who is this we're talking about?

1770 **Chairperson Botel:** Davis. Is that right, Ms. Pemsel?

1771 **Procurement Director Pemsel:** It's Grau & Associates, ma'am.

1772 **Chairperson Botel:** Oh, I'm sorry, Grau. I thought you were talking about.., I
1773 thought Mr. McCoy wanted to, to know the original from the last person who spoke, Davis.
1774 Was that.., what was your question?

1775 **Councilperson McCoy:** Yeah.

1776 **Chairperson Botel:** What was your question, Mr. McCoy?

1777 **Councilperson McCoy:** I was asking the contract amount, what was... We have a
1778 contract in the back'.., in the backup that says not to exceed, I believe it was four hundred
1779 and...

1780 **Chairperson Botel:** Oh, oh. Okay.

1781 **Councilperson McCoy:** ...sixty thousand. So...

1782 **Chairperson Botel:** [Inaudible].

1783 **Councilperson McCoy:** ...I wanted to know what the original amount was. But, does
1784 this process lend to us now, and, and I don't know how we would do it, but does this
1785 process.., I, I guess, I don't know how we begin to do it, if we have to now negotiate with
1786 the first ranked. And it appears that, in my opinion, that some kind of way, that it's been

1787 suggested that that's been done by Ms. Pemsel but, like, how do we establish this process
1788 across the board as far as pricing is concerned?

1789 **Councilperson Lanier:** Madam Chair?

1790 **Chairperson Botel:** Yes, Ms. Lanier. Unless Ms. Pemsel has a quick answer. Go
1791 ahead.

1792 **Councilperson Lanier:** I, I think that.., I, I think our first order of business is to choose
1793 a firm. Once we choose a firm, then we can have.., either we or the, the City
1794 Administration, can negotiate. But I think that our first order of business is just to choose
1795 who want to go with first. Then those people who are not chosen can, you know, get off
1796 the call and keep it moving but the thing about it is that, if we're gonna have any discussion
1797 about negotiation or anything, we need to pick the firm who we're gonna do all this with.

1798 **Councilperson McCoy:** Well, I, I don't know.., and I respect that that's what you're
1799 saying but that's not what's prescribed in the statute. I mean, it first says negotiate with
1800 the first firm. And my question is simply, how do we establish a process to negotiate with
1801 the firms? And I would like to know what those rules of the game are before we say we're
1802 going with a firm because, at this point, we're not to select a firm and the statute
1803 prescribes for a very specific method on how we go from this point and the first thing is
1804 negotiate with the first firm. And before we...

1805 **Unk.:** [Inaudible].

1806 **Councilperson McCoy:** ...do that, I'm just simply asking, can we establish what's
1807 gonna be the practice or the protocol of how we do this?

1808 **Chairperson Botel:** Ms. Wynn.

1809 **City Attorney Wynn:** Mr. McCoy... Thank you, Dr. Botel. Again, the same section
1810 of the statute that talks about where you have already inquired as to the basis of
1811 compensation, has three prongs. One, you've already done, you've inquired as to the
1812 basis of compensation. The second one is that you select one of the firms rec'..,
1813 recommended by the Audit Selection Committee. And the third prong is to negotiate the
1814 contract. So, Ms. Lanier is correct, that you are now at the stage where you have to select
1815 one of the firms recommended by the Auditor Selection Committee.

1816 **Councilperson McCoy:** Provide that...

1817 **City Attorney Wynn:** Paragraph 4 f of the con'.., of the statute, Mr. McCoy.

1818 **Councilperson Lanier:** And, and, Mr. McCoy, I said that was because if we go with
1819 the first firm, and, and as I said before, you don't have to pick the first firm, but that was
1820 the purpose of the Audit Committee, was to bring forth recommendations, we go with the
1821 recommendations of the Committee, negotiate with the Grau firm. If it does not work out,
1822 we go to the second firm.

1823 **Chairperson Botel:** And if that doesn't work out, we go to the third.

1824 **Councilperson Lanier:** Go to the third firm.

1825 **Chairperson Botel:** I, I am, I am just surprised at the difference between... Make
1826 sure I've got my math right, you two accountants on this line now. Earn your keep here.
1827 So, so Grau was at ninety-two, right? The se'..., HCT was at \$90,980, and this firm was
1828 at fifty-five? Am I right about that?

1829 **Chair Pro Tem Lawson:** That, that was my question, Madam Chair. I wanna see if, if
1830 a representative from S. Davis could come back and explain the discounts; and, what
1831 was presented to Ms. Pemsel, the total amount and how they came to their discounted
1832 price? What was the original amounts submitted to our Procurement Director? And then,
1833 this discounted price that was equal to about fifty-five a year. So, I just...

1834 **Chairperson Botel:** Right.

1835 **Chair Pro Tem Lawson:**...wanna see where these bids came from.

1836 **Chairperson Botel:** Yes.

1837 **Chair Pro Tem Lawson:** Ms. Pemsel, in the proposal, what is the total amount of the
1838 contract that was submitted by S. Davis & Associates?

1839 **Procurement Director Pemsel:** It was \$275,000.

1840 **Chair Pro Tem Lawson:** And, if a representative from S. Davis could come on to
1841 explain what the discounts represent for the two seventy-five. I just wanna understand
1842 that total contract. 'Cause there's a large variance between the top two firms and, and
1843 this firm; and why is there such a difference between the two? And, I'm not trying to say
1844 that we're gonna compare apples and oranges, I just wanna understand where, where
1845 the pricing, the hours...what total hours were calculated into this?

1846 **Ms. T. Davis:** Okay. This is Tanya Davis again. We estimated that the audit would
1847 be about five hundred hours and, I don't think that that varies very much from any of the
1848 other firms, or either of the other firms. We looked at that, we tried to determine a discount
1849 so that we could get to our best price for the City. Of course, keeping in mind what the
1850 City has paid in the past for your audit services and I don't know that we actually went
1851 down that far but we did try to get close to what we thought that we could do, to perform
1852 a quality audit and an efficient audit with the discount that we gave the City. We gave the
1853 City probably about a thirty-five to forty percent discount. I don't have all of my written
1854 notes in front of me right now but probably that much of a discount.

1855 The discount in no way affects the quality of our audit. It in no way, affects the
1856 efficiency of our audit but we thought that it was fair to, to give that discount considering
1857 what the City has paid in the past and we want the City's business, quite frankly; and we
1858 will make up for it with fees on other, on other jobs; we can certainly afford to do this for
1859 the City at this time.

1860 **Chair Pro Tem Lawson:** Thank you, Ms. Davis. And also, this is for the City and CRA,
1861 correct?

1862 **Ms. T. Davis:** This is for the City, the CRA and I believe there was the Utility District
1863 as well. If I'm...

1864 **Chair Pro Tem Lawson:** [Inaudible].

1865 **Ms. T. Davis:** ...not mistaken.

1866 **Chair Pro Tem Lawson:** Okay. Thank you so much, Ms. Davis. Ms... Follow up. I'm
1867 sorry, Madam Chair, follow for that.

1868 **Chairperson Botel:** Go ahead, Mr. Lawson.

1869 **Chair Pro Tem Lawson:** Just two questions, and I'm just gonna pose one to Mr.
1870 Sherman first. If you could give us the total amounts of the previous contract. I believe
1871 HCT was our previous Auditor. What was the amount of the annual pricing for that
1872 previous contact with HCT?

1873 **Finance and Administrative Services Director Sherman:** Yeah. It, it started out in
1874 \$60,000 range, and the last year we paid \$72,000, I believe; but that was on the City side.
1875 The CRA, I believe, was in the ten to \$12,000 range.

1876 **Chair Pro Tem Lawson:** Okay. So the City sixty to seventy-two. CRA, ten to twelve?

1877 **Finance and Administrative Services Director Sherman:** Yes.

1878 **Chair Pro Tem Lawson:** Okay.

1879 **Finance and Administrative Services Director Sherman:** And then the total was
1880 three sixty for the five years if I remember correctly.

1881 **Chair Pro Tem Lawson:** Got you. Thank you, Mr., thank you, Mr. Sherman and then,
1882 Ms. Pemsel, the total hours from each firm, was that a part of the RFP? I was just looking
1883 back to see if that was a part of our RFP, the total expected or calculated hours? I didn't
1884 see that , or the estimated hours from Grau & Associates and HCT, did they give total
1885 hours?

1886 **Procurement Director Pemsel:** Yes. Let me pull up their proposals. I believe Grau &
1887 Associates were.. it was about six hundred but let me confirm that real quick. [Pause].
1888 Just one second please.

1889 **Chair Pro Tem Lawson:** Mhmm.

1890 **Chairperson Botel:** Take your time.

1891 [Pause]

1892 **Procurement Director Pemsel:** It looks like roughly around six hundred hours for Grau
1893 & Associates.

1894 **Chair Pro Tem Lawson:** And that's annual...

1895 **Procurement Director Pemsel:** [Inaudible].

1896 **Chair Pro Tem Lawson:**...hours? Six hundred hours? Six hundred hours annually,
1897 correct?

1898 **Procurement Director Pemsel:** Yes. Yes.

1899 **Chair Pro Tem Lawson:** Okay.

1900 **Procurement Director Pemsel:** Mhmm.

1901 **Chair Pro Tem Lawson:** So, the annual pricing per hour is Grau & Associates \$153 per
1902 hour for auditing services, S. Davis is charging us \$110 per hour, and the other firm, did
1903 you get a total hours for the other firm? I'm sorry.

1904 **Procurement Director Pemsel:** For S. Davis & Associates? Or HCT?

1905 **Chair Pro Tem Lawson:** No. I got S. Davis' hours. I was asking about, I'm sorry, H'...,
1906 HTC. HCT, I'm sorry.

1907 **Procurement Director Pemsel:** A second, please.

1908 **Chair Pro Tem Lawson:** Yes, ma'am. [Pause]. [Inaudible].

1909 [Pause]

1910 **Procurement Director Pemsel:** Okay. One moment please. A lot of pages. [Pause].
1911 The schedule [inaudible] hours looks like roughly a hundred, two thirty, [pause], three,
1912 four, roughly about five hundred hours. They're all separate. There's no actual total
1913 listed. But just a second.

1914 **Chair Pro Tem Lawson:** Ninety-nine. And his price, his price from my recollection is
1915 nine..., \$90,980 divided by five hundred hours you said?

1916 **Procurement Director Pemsel:** Yeah. Let's see, one hundred, two thirty, three...

1917 **Chair Pro Tem Lawson:** Mhmm.

1918 **Procurement Director Pemsel:**...four. Yeah. Roughly about four hundred and fifty to
1919 almost five hundred hours.

1920 **Chair Pro Tem Lawson:** Okay. So, pricing, the hourly, we have a range of between a
1921 \$110 per hour, up to \$180 per hour. So, now, so circle back to the, to the written
1922 requirements and the oral. My only concern, Madam Chair and Council, is that I just didn't

1923 see any criteria for the oral. I know that we went in a different direction but I didn't see a
1924 point metrics comparable to any of the other RFP's that I reviewed from previous audit
1925 services, and also from comparable emergency medical RFP's. So, my recommendation
1926 would be to go into negotiations with the number one responsive to the RFP based upon
1927 points, and try to negotiate a price comparable to what I'm seeing because this range
1928 between \$110 from S. Davis up to \$181. It looks like we have some leverage to actually
1929 negotiate a better price for these services.

1930 So, I would actually recommend that we definitely take a look at the pricing and we
1931 go back into negotiations and discussions.

1932 **Chairperson Botel:** Okay. That's your recommendation? Mr. McCoy, did you
1933 want to make your motion or change your motion? 'Cause we ha'.., I think we have a
1934 motion. Do we have a motion on the floor? It's been a couple of hours now?

1935 **Councilperson McCoy:** [Inaudible].

1936 **Chairperson Botel:** So...

1937 **City Clerk Anthony:** Yes, Madam Chair. You do have a motion on the floor.

1938 **Chairperson Botel:** Thank you. Mr. McCoy, do you wanna restate your motion?

1939 **Councilperson McCoy:** Well, I.., you know, Madam Chair, I, I'm sorry but and this is
1940 no.., nothing to Grau & Associates but I only wanted to insert something so that we didn't
1941 have the defective Resolution on the...

1942 **Chairperson Botel:** Okay.

1943 **Councilperson McCoy:** And, there was no way for me to insert that. I was just trying
1944 to really preserve the opportunity. So, I, I really gotta say there's nothing that I don't
1945 particularly have anything.., I don't have anything against Grau & Associates. I just,
1946 literally, when I seen this at the start of the meeting, this popped in my head. So...

1947 **Chairperson Botel:** Okay.

1948 **Councilperson McCoy:**...had no intention on even making any action on that. I just
1949 wanted us to have that on the record before we started a whole lot of discussion. So, I
1950 can withdraw that motion.

1951 **Chairperson Botel:** Okay.

1952 **Councilperson McCoy:** [Inaudible].

1953 **Chairperson Botel:** Whoever seconded it, would you.., you'll withdraw your... The
1954 motion's been withdrawn, I guess the second is moot then.

1955 I, I..., my concern is that there's either a \$179,900 difference between S. Davis and
1956 HCT, and even \$185,000 over the course of the contract difference between S. Davis and
1957 Grau and I think if we're gonna be fiscally responsible, we need to take a look at this now,
1958 which is the second ranked, Davis is the second ranked according to the process that the
1959 Committee used, Davis is the second ranked. And I, I for one would think that we would
1960 wanna take a look at, at Davis because their pricing is so different. Now, I mean, HCT
1961 had an opportunity to provide us with pricing, they did so tonight and there's a huge
1962 difference. I, I'm not sure that negotiating with them is even fair given that they told us
1963 their price, [stammer], Davis gave us a price that's so much better, how can we
1964 responsibly even think about going with another firm, given that Davis was the second
1965 ranked?

1966 **Councilperson Miller-Anderson:** Davis was the third ranked, if you're looking at
1967 the...

1968 **Chairperson Botel:** No, no.

1969 **Councilperson Miller-Anderson:**...you're looking at the..

1970 **Chairperson Botel:** I'm looking... No, no. I'm looking at the rankings...

1971 **Councilperson Miller-Anderson:** Oh, you're talking about the oral. You're
1972 talking...

1973 **Chairperson Botel:** I'm talking...

1974 **Councilperson Miller-Anderson:** ...about the oral?

1975 **Chairperson Botel:** ...about the proc'..., the entire process. Culminating in the oral
1976 gave Davis the second rank. The people...

1977 **Councilperson Miller-Anderson:** Okay. You're talking about oral.

1978 **Chairperson Botel:** ...on the Committee took... Yeah. The people on the
1979 Committee took into consideration the written, that's..., the written is only what got them
1980 to the oral.

1981 **Councilperson Miller-Anderson:** I get it.

1982 **Chairperson Botel:** The written...

1983 **Councilperson Miller-Anderson:** You don't have to ...

1984 **Chairperson Botel:** Yeah.

1985 **Councilperson Miller-Anderson:** Yeah. I got that.

1986 **Chairperson Botel:** Okay.

1987 **Councilperson Miller-Anderson:** You don't have to restate that.

1988 **Chairperson Botel:** Got that. Okay. So, so, when you look at the oral
1989 presentation, Davis was the second ranked. Davis gave us a price that is a \$185,000,
1990 over the course of the contract, less than the, the Grau and \$179,900 less than HCT.
1991 [Stammer], I, I, I..., it's almost like a no brainer. I mean, we, we, we almost have to say,
1992 'Hey, let's, let's enter into a contract with the person who's giving us the best price for, for
1993 the services that were counted as second on the p'..., part of the Committee.'

1994 **Councilperson Lanier:** Madam Chair?

1995 **Chairperson Botel:** Yeah. Ms. Lanier and then Mr. McCoy.

1996 **Councilperson Lanier:** I would just like to say that if we're going to that, then the other
1997 two firms should have an opportunity to respond in terms of negotiations. The first firm
1998 that we recommended was Grau and if the S. Davis price looks better, then we should
1999 give Grau or we should give HCT an opportunity to either beat that price or [pause]
2000 something.

2001 **Chairperson Botel:** Mr. McCoy.

2002 **Councilperson McCoy:** So, since we're deviating, and I don't know if I would call...,
2003 well, I guess probably that's not the best word but, was the standard, if I'm understanding
2004 correctly, that we were not..., the Audit Selection Committee was not to consider price.
2005 So, but that doesn't..., it's obviously not the case with us. Am I correct, Ms. Pemsel, Ms.
2006 Wynn?

2007 **Councilperson Lanier:** Yes.

2008 **Procurement Director Pemsel:** The solic'...

2009 **Councilperson McCoy:** I mean, they...

2010 **Procurement Director Pemsel:** Yeah. The solicitation... Oh. Go ahead, I'm sorry, Mr.
2011 McCoy.

2012 **Councilperson McCoy:** Well, I'm, I'm just curious, does, does the standards now
2013 change as to what we're using as the determining issues as to how we decide to choose
2014 who we want to select? Because, the pricing issue I thought existed with the Audit
2015 Selection Committee. Is that the same with us or do we have any other latitude or any
2016 other ability to consider outside factors?

2017 **Procurement Director Pemsel:** The spirit and intent of the solicitation was
2018 qualifications first, price second. And, I, I'm not sure if, in accordance with considering
2019 the pricings and...

2020 **Councilperson McCoy:** The who? The who are considering?

2021 **Procurement Director Pemsel:** In, in, in accordance with considering the pricing now,
2022 if now pricing becomes the primary intent...

2023 **Councilperson McCoy:** I'm sorry.

2024 **Procurement Director Pemsel:** ...in lieu of...

2025 **Councilperson McCoy:** Did you say courts?

2026 **Procurement Director Pemsel:** ...qualifications.

2027 **Councilperson McCoy:** I'm, I'm not sure that I hea'... Did you say courts? C-O-U-R-
2028 T-S? The courts...

2029 **Procurement Director Pemsel:** Oh, no.

2030 **Councilperson Miller-Anderson:** She said in accordance.

2031 **Councilperson McCoy:** Oh, in accordance.

2032 **Procurement Director Pemsel:** Yeah.

2033 **Councilperson Miller-Anderson:** I think.

2034 **Procurement Director Pemsel:** Thank you. Yeah.

2035 [Chuckles]

2036 **Procurement Director Pemsel:** So, the, the intent was to look at qualifications first and
2037 price second. So, at the will of the Commission, if you now change it to price, I don't know
2038 unless there's some other thing in the statute that precludes that. From happening. I, I
2039 don't know.

2040 **Councilperson Lanier:** I just... Madam Chair, I just wanna say that, that, as we're
2041 looking at prices, which is fine, I don't think that we should base picking an agency just
2042 on price alone.

2043 **Chairperson Botel:** Well, we're not.

2044 **Councilperson McCoy:** You..

2045 **Chairperson Botel:** We're looking at..., we're also looking at the ranking. Ms.
2046 Miller-Anderson.

2047 **Councilperson Miller-Anderson:** Okay. I don't think we can continue to change
2048 the rules as we're going along here. If it was based on, we were to... We were not
2049 supposed to be looking at the price to determine that. I mean, we can take that into
2050 consideration but that shouldn't be the number one factor, as was stated earlier.

2051 And I'm, I'm ready to make a motion based on the written scores and knowing that
2052 we can go into negotiation with this price. So, my motion is going to be to go into
2053 negotiation with H'., HTC or HCT. That's my motion. Based...

2054 **Chairperson Botel:** Does anyone care...

2055 **Councilperson Miller-Anderson:** ...on the written...

2056 **Chairperson Botel:** Does anyone wanna second that?

2057 **Councilperson McCoy:** Um... [Pause]. I wanna offer a substitute.

2058 **Chair Pro Tem Lawson:** I'm sorry. I'm sorry, could, could Councilwoman Miller-
2059 Anderson repeat the motion?

2060 **Councilperson Miller-Anderson:** I made a motion to go with..., go into negotiation
2061 with HTC,. I'm sorry if I'm saying it backwards. HCT. HCT, based on the written score,
2062 and then to go into negotiation with the price.

2063 **Chairperson Botel:** No second? Mr. McCoy, did you have as'.., you tried to have
2064 an...

2065 **Chair Pro Tem Lawson:** I'll...

2066 **Chairperson Botel:**...alternate...

2067 **Chair Pro Tem Lawson:** I'll second the motion. I did have a question in reference to
2068 that. I know we've had a lot of discussion and I know we're, we're beating this one up...

2069 **Unk.:** Yeah.

2070 **Chair Pro Tem Lawson:** ...but I really wanna just make sure we get it right. It's
2071 because the pricing is, is just kind of throwing a curve ball at the entire process.

2072 **Chairperson Botel:** Yeah.

2073 **Chair Pro Tem Lawson:** So...

2074 **Councilperson Miller-Anderson:** Well, well, I have a question. So, so if we're...
2075 when we go into negotiations of the price, if they do not give us the price that we're looking
2076 for, can we go to the next group? We can go to someone else, right?

2077 **Chair Pro Tem Lawson:** And that...

2078 **Councilperson Miller-Anderson:** Okay.

2079 **Chair Pro Tem Lawson:** And that was...

2080 **Councilperson Miller-Anderson:** Yeah.

2081 **Chair Pro Tem Lawson:** ...my..., that was my question, Ms. Miller-Anderson,
2082 Councilwoman.

2083 **Councilperson Miller-Anderson:** Yeah.

2084 **Chair Pro Tem Lawson:** What, what is, what is gonna be our price because I believe
2085 that's what the Council's responsibility now that the Committee and Councilwoman Lanier
2086 came to the table with three recommendations for us, and we as the Board, now we
2087 choose which of the three we're gonna move forward into negotiations with. But, the
2088 proposal says that we negotiate now based upon pricing. And now that we've opened all
2089 of the envelopes to see pricing, what price are we comfortable at? Are, are we gonna tell
2090 HCT that they have to beat the..., they have to compete with the \$55,000 a year, from the
2091 third responsive individual or what, what is gonna be our..., what is gonna be our stance?
2092 And I wanna make sure we're...

2093 **Chairperson Botel:** [Stammer]...

2094 **Chair Pro Tem Lawson:** ...clear with that before we move forward with our motion.

2095 **Chairperson Botel:** In, in my opinion...

2096 **Chair Pro Tem Lawson:** Or do we just go straight...

2097 **Chairperson Botel:** ...I mean, I would like to...

2098 **Chair Pro Tem Lawson:** ...into...

2099 **Chairperson Botel:** I, I...

2100 **Chair Pro Tem Lawson:** Or do we go straight with Davis & Associates who came with
2101 the lowest bid and was still one of the three recommended? So it's..., I wanna make sure
2102 we're crystal clear with how we're gonna move forward prior to..., we voting on this motion.

2103 **Chairperson Botel:** Right. I agree with you, Mr. Lawson. I think that, given that
2104 Davis & Associates gave us the, the price that, that they did and given that they were the
2105 second ranked by the, by the Committee, we should ask that the other firms that are
2106 competing for this business, give us the same price. Or better.

2107 Ms. Wynn, is there, you know, it's very strange to be negotiating in public like this
2108 but.

2109 **City Attorney Wynn:** Yeah.

2110 **Chairperson Botel:** [Chuckle]. But it seems...

2111 **City Attorney Wynn:** Yeah.

2112 **Chairperson Botel:** ...like this is the process that we have to comply with.

2113 **City Attorney Wynn:** Well, again, you could allow the Staff to.., you could designate
2114 the Staff to conduct the negotiations on your behalf and bring the contract back to you.
2115 But yes, you, you can.., we can ask the others. We can, you know, depends on.., I guess
2116 the motion, that was seconded, was to negotiate with HCT.

2117 **Chairperson Botel:** Right.

2118 **City Attorney Wynn:** And, you know, you can ask them now if, if they agree to that
2119 price, the fifty-five that S. Davis & Associates recommended, and if they say yes, then we
2120 can do it that way or we can go back and you...

2121 **Chairperson Botel:** Okay.

2122 **City Attorney Wynn:** ...can let Staff do it.

2123 **Chairperson Botel:** Well, let's do it.

2124 **Councilperson Miller-Anderson:** That's not what I'm...

2125 **City Attorney Wynn:** I would...

2126 **Councilperson Miller-Anderson:** ...suggesting. That's not...

2127 **City Attorney Wynn:** Okay.

2128 **Councilperson Miller-Anderson:** ...what I'm suggesting at all.

2129 **City Attorney Wynn:** That wasn't the motion?

2130 **Councilperson Miller-Anderson:** No. I'm saying I'm not suggesting that they go
2131 down to the fifty-five. I mean, we have to understand that S. Davis & Associates, they put
2132 in a fif'.., basically, a fifty percent discount. And, for whatever reason they did that, well,
2133 that's something that they were willing to... Basically, she said.., basically just to get the
2134 job. They want the job bad enough, they were gonna discount it fifty percent. And I don't
2135 think that should be the expectations for everyone that is trying to get this [inaudible]
2136 actually contract...

2137 **City Attorney Wynn:** No, it... Can I ask for some clarification? Councilperson
2138 Miller-Anderson, is it your motion to negotiate with HT'.., HTC based on the price that they
2139 submitted, the \$90,980?

2140 **Councilperson Miller-Anderson:** Well, I think Mr. Lawson may.., brought up a
2141 good point to identify what number we want to live with. And so, I think that we need to
2142 do that but I don't believe that that number should be what Davis said, which is the fifty-
2143 five. Maybe somewhere in between the fifty-five and the ninety-two.., the fifty-five and
2144 the ninety that he stated. But I'm certainly not expecting them to drop it down to fifty-five,
2145 but it.., I mean, that, that number is an outlier. Even if you looked at, at Grau, I mean,

2146 they did not go down. If you did an average, it's nowhere down to \$55,000. So, I would
2147 suggest that we just look somewhere between fifty-five and ninety.

2148 But, you know, I don't, I don't agree with that part.

2149 **Councilperson Lanier:** But...

2150 **Chairperson Botel:** Okay.

2151 **Councilperson Lanier:** ...Madam Chair?

2152 **Chairperson Botel:** Yeah. I., let me just make a statement first, please, Ms.
2153 Lanier. My, my concern is that, given that this Davis firm is a firm that was highly
2154 recommended, in fact, recommended as number two, by the Committee...

2155 **Councilperson Miller-Anderson:** Based on...

2156 **Chairperson Botel:** ...and given that they...

2157 **Councilperson Miller-Anderson:** ...what though?

2158 **Chairperson Botel:** Based on their evaluation.

2159 **Councilperson Miller-Anderson:** No.

2160 **Chairperson Botel:** It was a legit'...

2161 **Councilperson Miller-Anderson:** Only the oral, which didn't have a criteria.

2162 **Chairperson Botel:** We, we., we've already put this to rest I thought. The
2163 written...

2164 **Councilperson Miller-Anderson:** But that's where you're placing all of your, your
2165 emphasis, on the oral part. And...

2166 **Chairperson Botel:** Yes. Because...

2167 **Councilperson Miller-Anderson:** Right. Yeah. I...

2168 **Chairperson Botel:** ...that, that was the process they used. Ms., Ms. Lanier has
2169 stated to us that they asked a lot of good questions at the oral part and, at the end of that,
2170 that's when that Committee, that we assigned, that we chose, made the decision that this
2171 Grau was first, the Davis was second and that HCT was third. [Inaudible]...

2172 **Councilperson Miller-Anderson:** Well, let me just say this.

2173 **Chairperson Botel:** ...total package. Go ahead.

2174 **Councilperson Miller-Anderson:** So, you.., and, I'm just gonna go there with the
2175 schools and education for an example. When they're doing a writing assignment, usually
2176 there's a rubric. Correct, Dr. Botel? I know you know...

2177 **Chairperson Botel:** Yeah. Absolutely.

2178 **Councilperson Miller-Anderson:** ...about rubrics and criterias. Okay. So, that is
2179 in place to help you with trying to be somewhat objective instead of being able to just look
2180 at it and say, 'Oh, well, they wrote five paragraphs, let's give them a ten,' versus...

2181 **Chairperson Botel:** Right.

2182 **Councilperson Miller-Anderson:** ...you know... So, for the oral part, and that's
2183 where I'm coming from and not putting a whole lot of emphasis on the oral part because
2184 no one has stated tonight how a person was ranked one, two or three. I, I heard what
2185 Ms. Lanier said but what I'm talking about having criteria or a rubric. It was clearly defined
2186 in the written part, so I can live with that because there's some connection to what ten
2187 points is for, what is a five points. But the oral, I just, I, me, I don't feel that putting all of
2188 the emphasis on the oral part should weigh as heavily, because there is no criteria. And
2189 I guess, we have explained this, we've killed it ten times over but when you're stating now
2190 that Davis is second in ranking, that is true based on what it says but we can't forget what
2191 the issue was with the oral presentation scoring to begin with. And I guess I have a really
2192 strong opinion about that because I was on the Council when we had to rank the City
2193 Managers and Mr. Evans can attest to how that played out. So.., and it was very
2194 subjective at that time. And so, I have a.., I, have a issue with placing all of the emphasis
2195 on oral presentations because I know how that can go. I've seen it, I've been a part of it.
2196 And so, with the written part, I think is more clearly defined as to how the person got..,
2197 how you got to that point.

2198 So, for me, I'm not placing any emphasis on the oral because it, it just.., it's not
2199 clearly defined. And that's why I said, you know, looking at it.., looking at which ones to
2200 go into negotiations with, that, that's why I suggested that.

2201 So, I heard what...

2202 **Chairperson Botel:** [Inaudible].

2203 **Councilperson Miller-Anderson:** ...you're saying. I hear your point, Dr. Botel
2204 but...

2205 **Chairperson Botel:** Okay.

2206 **Councilperson Miller-Anderson:** ...[inaudible].

2207 **Councilperson Lanier:** Madam Chair.

2208 **Chairperson Botel:** Thank you. Mr. McCoy. No. Ms., Ms. Lanier had hers up...

2209 **Unk.:** Yeah.

2210 **Chairperson Botel:** ...first I think and then...

2211 **Unk.:** Yeah.

2212 **Chairperson Botel:** ...Mr. McCoy.

2213 **Councilperson McCoy:** [Inaudible] to get in in since she offered the motion.

2214 **Chairperson Botel:** I'm sorry, Mr...

2215 **Councilperson McCoy:** [Inaudible] one simple question but I'll wait.

2216 **Chairperson Botel:** Go ahead. Ms. Lanier.

2217 **Councilperson Lanier:** First of all, this is, this is setting up the City for an appeal for
2218 this. That's the first thing. The second thing is that, according to Florida statute, we were
2219 supposed to put together a committee by the choosing of the Council, to bring together
2220 individuals that you have chosen to review this..., these audit reports. I mean, yeah, audit
2221 proposals. We get to the point where we shortlist the people we want to go to the next
2222 phase, which is the oral. We shortlist those people based on those numbers that we have
2223 on that scoring sheet. Once we have shortlisted them, then we get to the next phase
2224 which is oral. Once they go through the oral presentation, question and answer, then we
2225 rank them. Our ranking was based on a combination of all of that. So, when the
2226 Committee recommends that Grau was first and second was Davis and third was HCT,
2227 that is only our recommendation, of course. But, what we are doing now is that, we are
2228 totally disregarding what the Committee is suggesting to the Council to do. You start with
2229 Grau, if they can't beat the \$55,000, then you go to the next firm and that's how you do it.
2230 But, if you come in and you pick the lowest person ranked to start negotiations with, then
2231 what do we need the Committee for?

2232 **Chairperson Botel:** Yeah.

2233 **Councilperson Miller-Anderson:** For the written, the written was great. I think
2234 there was criteria for that, and the oral was not...

2235 **Councilperson Lanier:** [Stammer]...

2236 **Councilperson Miller-Anderson:** [Inaudible] get anywhere with that, 'cause that,
2237 that point is still there and I heard everything that you said.

2238 **Councilperson Lanier:** Yeah. And, I, I just think [inaudible]...

2239 **Councilperson Miller-Anderson:** We don't have any black and white...

2240 **Councilperson Lanier:** I, I just think it's a...

2241 **Councilperson Miller-Anderson:** ...to look at. [Inaudible].

2242 **Councilperson Lanier:** ...disregard to the process, to be able to go and nominate
2243 another firm that was the lowest ranked. And if that were the case, this month and a half
2244 that I spent on this, it, it wasn't really necessary then.

2245 **Councilperson Miller-Anderson:** I appreciate...

2246 **Councilperson Lanier:** So, if you're going to...

2247 **Councilperson Miller-Anderson:** ...all of the work that...

2248 **Councilperson Lanier:** ...look at the process...

2249 **Councilperson Miller-Anderson:** ...you all put in.

2250 **Councilperson Lanier:** ...itself, then we should've said that the process should've...,
2251 we should've..., we should redo the process. But to go in and disregard the whole process,
2252 and pick the...

2253 **Councilperson Miller-Anderson:** No.

2254 **Councilperson Lanier:** ...lowest person that was ranked, and say we're gonna start
2255 negotiations with that particular entity, when all this information has been presented to
2256 you, then exactly, the Committee, the Council has a right to do exactly what it is that they
2257 want to do. I'm just making a statement that I felt, and I feel, like this was a total disregard
2258 to the work that this Committee did over two months.

2259 **Councilperson Miller-Anderson:** Well, I wanna be very clear. That's not the case.
2260 The written part, I wholeheartedly suggest that we look at that because it is, it's concrete.
2261 The oral part, that's the only part I have an issue with. And, of course, we, we all put one
2262 person on the Committee, but that doesn't, you know, that doesn't account for the other
2263 four people, but I'm ju'..., that's just my point. And nothing's gonna change that, you know,
2264 in terms of the oral end of it.

2265 **Chairperson Botel:** Alright. Ms. Wynn suggested that we ask Mr. Harvey to give
2266 us a price and then we'll ask [stammer] what's the other one? We'll ask... I'm sorry.
2267 Grau to give us a price. So, Mr. Harvey, would you tell us what your bottom line is for
2268 this...

2269 **Councilperson McCoy:** So...

2270 **Chairperson Botel:** ...five year contract?

2271 **Councilperson McCoy:** In fact, I'm gonna go ahead and jump in here because I don't
2272 know what it's gonna take for me to..., perhaps wave a flag but...

2273 **Chairperson Botel:** I'm sorry.

2274 **Councilperson McCoy:** [Inaudible] ask some questions ever since she put the motion
2275 on the floor, and I even wanted to offer a substitute.

2276 **Chairperson Botel:** Okay. Go ahead.

2277 **Councilperson McCoy:** I wanna find out, and we can go to HCT, so that there's, to
2278 kind of clear up the outlier thing, Carr, Riggs & Ingram [stammer] submitted prices,
2279 correct?

2280 **Chairperson Botel:** I'm sorry. Who is that?

2281 **Councilperson McCoy:** The firm that choose to withdraw after the writtens.

2282 **Chairperson Botel:** Oh, oh.

2283 **Councilperson McCoy:** [Inaudible] the written.

2284 **Chairperson Botel:** Oh, Carr, Riggs & Ingram. Okay.

2285 **Councilperson McCoy:** Did they submit a number of hours?

2286 **Chairperson Botel:** Ms. Pemsel, did Carr, Riggs & Ingram submit a number of
2287 hours?

2288 **Procurement Director Pemsel:** Yes. I'll check their proposal.

2289 **Councilperson McCoy:** Okay. And while she's doing that, so, Councilwoman Lanier
2290 suggested that they.., there was a combination. But, my question, and I'm still kinda
2291 unsure of in looking at the tabulation sheet for both the written and the oral, which it shows
2292 it's written and the oral, what was the combination? Like, was it mostly weighed on the
2293 fact of the written? Or, was it mostly weighed on the fact of the oral presentation for fifteen
2294 minutes? So, I kinda wanna...

2295 **Chairperson Botel:** [Chuckle].

2296 **Councilperson McCoy:** ...[inaudible] that combination means.

2297 **Councilperson Lanier:** As I've said, the third time tonight, that when we got to the oral
2298 presentations for each of these firms, the conversations that we had with each of these
2299 firms, the questions that we asked them, all of that, in that two day session of asking them
2300 back and forth about questions that two CPA's asked, as well as the other parts of the
2301 Committee, that was taken into consideration in addition to, even though we used the first
2302 part as a shortlist, of course we went back to the written and looked at what we wrote and
2303 looked at some of the issues that we discussed at that time. Of course we did. This...

2304 **Councilperson McCoy:** So...

2305 **Councilperson Lanier:** ...this, this was a, this was a month and a half process, so of
2306 course when we're.., when we get to the oral that we're not totally.., we're not going into

2307 the oral like we've never seen these people before in our lives. We went to the oral based
2308 on all this written work we did over the past month to say, okay, we got to our shortlist.
2309 Now, we remember all these things we've written down for them, now let's ask [stammer]
2310 as them these questions in regards to what we need to know about their operations. So
2311 yes, it was a combination. Yes, we used the first part of the shortlist, but of course we
2312 didn't forget everything we wrote down and then got to the oral and said, 'No, none of that
2313 matters anymore.' Of course we don't do that. You get to the oral part of it and you rank
2314 them based on all of this whole two months of work.

2315 **Chairperson Botel:** Mr. McCoy.

2316 **Councilperson McCoy:** Okay. And I appreciate that. But I was going to actually ask
2317 the Members to substitute that we make it about the entire Phase 1 and Phase 2 of the
2318 evaluation, as opposed to [stammer] limiting, Councilwoman Miller-Anderson, to just the
2319 written. Your motion.

2320 **Councilperson Miller-Anderson:** What was...

2321 **Chairperson Botel:** Ms. Miller...

2322 **Councilperson Miller-Anderson:** ...that again?

2323 **Chairperson Botel:** Mr. McCoy, could you repeat that for Ms. Miller-Anderson?

2324 **Councilperson McCoy:** I forgot. You took so long, I mean.

2325 **Chairperson Botel:** [Chuckle]. I think what he's saying is that he would prefer that
2326 your motion not specify that your motion is based on the written but rather that it would
2327 be based on a total. Is that what you said, Mr. McCoy?

2328 **Chairperson Botel:** Yes.

2329 **Councilperson McCoy:** Thank you, Madam Chair.

2330 **Councilperson Miller-Anderson:** Based on a total of what?

2331 **Councilperson McCoy:** You're actually able to, to...

2332 **Chair Pro Tem Lawson:** [Inaudible].

2333 **Councilperson McCoy:** I think it's probably the first time.

2334 **Chair Pro Tem Lawson:** Accurately.

2335 **Chairperson Botel:** [Chuckle].

2336 **Chair Pro Tem Lawson:** There you go. [Chuckle]. First agreement in fourteen months.
2337 I'm proud of you guys.

2338 [Chuckles]

2339 **Chairperson Botel:** Ms. Miller-Anderson, do you wanna comment on that?

2340 **Councilperson Miller-Anderson:** What was the last part? You said in combination
2341 of what?

2342 **Councilperson McCoy:** Both Phase 1 and Phase 2 of the evaluation. So that would've
2343 been the written and the oral and.., I mean, the entire evaluation. Not just solely one.
2344 Both parts.

2345 **Councilperson Miller-Anderson:** Sure. That's fine.

2346 **Chair Pro Tem Lawson:** I, I had a question in reference to that, Councilman McCoy.
2347 The.., to take into consideration both aspects, and Councilwoman Lanier the numbers
2348 ranking one, two, three, is that ranking that I'm looking at, is that just exclusively based
2349 on the oral? Is that your ranking based on your oral combined with the total scores they
2350 received...

2351 **Chairperson Botel:** Now, now, no.

2352 **Chair Pro Tem Lawson:** [Inaudible]...

2353 **Chairperson Botel:** Mr. Lawson...

2354 **Chair Pro Tem Lawson:** I think...

2355 **Chairperson Botel:** ...[inaudible] is gonna say this is the fourth time she's said it.
2356 [Chuckle].

2357 **Chair Pro Tem Lawson:** Yes. But, but, but as...

2358 **Chairperson Botel:** [Chuckles]. I can predict that.

2359 **Chair Pro Tem Lawson:** ...I guess that's, that's the confu'.., that's where the confusion
2360 is. Because, I, I just don't know where the, the, the oral.., what, what weight or level the
2361 oral played. 'Cause when I, when I just review other RFP's, I just wanna know what
2362 weight it weighed into the total score. 'Cause, there's a total score with the RFP and then
2363 I wanna know how they looked at the oral and then factored that when they combined the
2364 two to select their options of one, two, three. And that's just my understanding because,
2365 if it's just taking the oral, and then, what number, did they add points? Did they have a
2366 rubric that they were looking at? That's my concern with the oral because right now, to
2367 look at the total points, and then to look at the oral presentations, I don't have any notation
2368 or documentation or any, any criteria from. I don't, I don't know what happened in the
2369 oral presentation that took an or'.., a firm... And I have no preference, I have no dog in
2370 this race but I just wanna know why this firm went from four hundred and twenty-three
2371 points, highest score, to ranking last. And, based upon this ranking of one, two and three,
2372 and I see that there's individuals that just have letters representing who they are, and the

2373 only person I wr'..., I think know is Councilwoman Shirley Lanier, who ranked them at
2374 three, three, three and then two other people ranked them at one and one. And that's
2375 with HCT. And then I'm looking at the other one. I just, I just wanna understand how did
2376 that oral come about so that I can know what factors they used to give the oral, in
2377 combination with the written, and to choose an overall. Because that's my only concern
2378 with kind of combining the two with the oral..., and I don't wanna... And, Councilwoman
2379 Lanier, I'm not discrediting the two months of work. I think you guys did an amazing job
2380 based on the cri'..., criteria that you have for the written. I see scores, I see a breakdown,
2381 I see where..., we can even throw out the highest and lowest and it still represents the
2382 exact amount. 'Cause even if I throw out the highest and lowest score in the written, it
2383 still comes out where it would be scored based upon what you guys ranked. But then
2384 when we get to the next page, I don't have that same criteria. And that's where I have
2385 some pause.

2386 So that's my only hesitation.

2387 **Chairperson Botel:** Ms. Lanier, can we impose upon you one more time, please
2388 to...

2389 **Councilperson Lanier:** No. I'm not. I'm not. What, what, what it is, is this, is that...,
2390 this is, this... First of all, we're opening ourselves up to a, a protest or appeal. Second
2391 of all, you know, this was a deliberate..., this was a decision made by a deliberative body,
2392 you know, in concert with experts in the field. This was [stammer], if you have an issue
2393 with the process itself, then, then that's what we need to fix. But what is, what is..., what,
2394 what, what we're talking about is that you're disregarding the work that we did to make
2395 your own decision, which, guess what? You can do it. All I'm saying is that we're opening
2396 ourselves up to an appeal. And second of all, if the decision is going to be made
2397 [stammer] with this body in terms of the decision to go with the lowest ranked firm, then
2398 so be it. I'm not gonna belabor this. I'm not, I'm not gonna keep explaining myself and
2399 explaining the Committee's decision because the Committee was made up of experts and
2400 they made that decision over a couple of months, and that's where it is. Now, if there's a
2401 problem with the process, if there's a problem with how we did the oral or the written, then
2402 that's what you need to address. And if that's what you say is a problem for you, then
2403 that is fine too. All I'm saying is that, I want to be clear, that this is not... The, the, the
2404 Committee did their job based on what we considered to be written evaluative measures
2405 and ranking evaluative measures.

2406 So, if you don't understand them, if you don't like them, then that's cool. But, I'm
2407 not going to keep trying to defend the, the work of experts because you just don't like the
2408 way that the oral was done. And, if you don't, that's cool too.

2409 **Chairperson Botel:** I'm, I'm gonna go to Ms. Miller-Anderson in a second, I just
2410 wanna say, I'll, I'll use another School District analogy, if I may. When I used to hire
2411 principals, I would look at their resume and I throw them all on the floor and, and make,
2412 make them in piles of the top resume and all the way down to number ten. But then when
2413 it got to the interview, the oral interview, and I had a chance to ask specific questions and
2414 listen to their explanations, I could see that this one was so much higher and I would rank

2415 them one, two and three. I mean, it seems to make sense to me that you, you, you vet
2416 somebody based on something that's written and that changes over time after you have
2417 an interview with someone.

2418 Now, Ms. Miller-Anderson, go ahead.

2419 **Councilperson Miller-Anderson:** I will agree with you on that. However, you do
2420 have to some kind of point to..., and, for you in your mind, you do have a criteria. Alright?

2421 **Chairperson Botel:** As did the Committee. Right. As did the Committee.

2422 **Councilperson Miller-Anderson:** But, I mean, they're not the one that's voting on
2423 it. So...

2424 **Councilperson Lanier:** But then the, the City is...

2425 **Councilperson Miller-Anderson:** ...we...

2426 **Councilperson Lanier:** The City should ask the Committee to come forward to explain
2427 it then.

2428 **Councilperson Miller-Anderson:** Okay. I, I mean, I think..., my point hasn't
2429 changed but what I wanted to mentioned was about the, the motions. So, the one that
2430 Mr. McCoy wanted me to change was to combine the written and the oral and that, you
2431 want that to be because of what, Mr. McCoy? I know I kind of agreed with you but I'm
2432 kinda thinking about this again...

2433 **Councilperson McCoy:** Well...

2434 **Councilperson Miller-Anderson:** ...now.

2435 **Councilperson McCoy:** You know, all because I didn't want to discount what the Chair
2436 of that Committee was saying, that it was a combination, as opposed to where I could
2437 kinda hear us trying to suggest that we wanted to exclude something. But, you know,
2438 [sigh], fundamentally, I literally served on the P&Z Board and I sent a lot of stuff that I
2439 thought was gonna be a clear adoption of the recommendation of the Board but that's not
2440 the case in, in most cases but I didn't wanna appear to [inaudible] that we're piecemealing
2441 anything that they said and, you know, obviously we, more than anything, appreciate their
2442 service because they're volunteers but [inaudible] actually encompass everything so that
2443 we don't commit ourselves to seeming to suggest that we [audio skipped] anything other
2444 than what was laid out in the RFP.

2445 **Councilperson Lanier:** I'd like to put...

2446 **Councilperson Miller-Anderson:** Okay.

2447 **Councilperson Lanier:** ...forward a motion that the, that the Audit Committee present
2448 to the City Council. On their process and, and what the..., what they did because the thing

2449 about it is that I'm feeling as if there is no confidence in this Committee in terms of the
2450 decision that they made and the process that they used. So I would rather for just me,
2451 out of five or six people there, I would rather for the other members to come to the Board
2452 and for them to explain their position because, even though I am the Chair, there are five
2453 other members, four other members who were present at that meeting, during the whole
2454 two months and they would.., they definitely will be able to defend their position. But, you
2455 know, I stand by the position.., the, the, the decision that they made but I think that the
2456 Council needs to hear them.

2457 **Chairperson Botel:** Well, we have a motion... We have a motion on the floor that
2458 is.., looks like it might be amended. I think we have to deal with that first. Am I right, Ms.
2459 Wynn? Or [inaudible], me. Right?

2460 **Councilperson Lanier:** And, and...

2461 **Chairperson Botel:** [Inaudible]...

2462 **Councilperson Lanier:** ...let me say... I'm sorry, Madam Chair, just let me say this.
2463 I just wanna say that, doing this, it is going to be very difficult to get other volunteers and
2464 people in the community to come and do this kind of work, over two months, and for the,
2465 the work that they've done to be questioned. Not so much questioned, that to, that to be
2466 made to feel that there is less confidence in their abilities and to be basically thrown out.
2467 So...

2468 **Chairperson Botel:** I agree.

2469 **Councilperson Lanier:** The, the people who are on that Committee are going to feel
2470 that the work that they did and put in was not something that the Com'.., [stammer], that
2471 the Council has confidence in.

2472 **Councilperson Miller-Anderson:** Madam Chair?

2473 **Chairperson Botel:** Yes. Go ahead.

2474 **Councilperson Miller-Anderson:** I, you know, I don't think that would be the.., that
2475 should not be the takeaway. We have a legitimate concern, at least I have a legitimate
2476 concern that I feel that the criteria... You didn't, you all didn't write the RFP, so it.., you
2477 all should not take defense.., be defensive about it because that is not the point that's
2478 being made. The point that's being made is that the criteria for oral was not laid out as
2479 the written part was. So that's not discrediting anyone that was on the Committee. All I
2480 am stating is that there is nothing to demonstrate how the selection of the rankings were
2481 done. That does not minimize the.., their credentials, that does not minimize their thought
2482 process that was put behind it, I'm simply stating that fact only. And so, I'm, I'm done with
2483 it. You know? But I do want to make sure Ms. Lanier understands I appreciate you all
2484 working on it, I just do not understand what the criteria was for the oral.

2485 And in regards to your, your motion, so we're handling her motion and then...

2486 **Chairperson Botel:** No. You had a motion on the floor first, but Mr. Evans would
2487 like to speak before we do that.

2488 **City Manager Evans:** Madam Chair, I would have to ask the question of Legal and
2489 Procurement, but I think I have some concerns with regards to adding the oral scores in
2490 now because that's a distinct deviation from the RFP, and I think that leaves us exposed
2491 from, you have the written scores that were utilized to shortlist and then the, the Board
2492 ranked the, the firms. If you look to consolidate, and now you give value to the oral
2493 presentation, that's separate and apart from what was requested as part of the Request
2494 for Proposal. And I would have to, you know, ask Legal or, or Procurement what their
2495 perspective is with regards to doing that.

2496 **Councilperson Miller-Anderson:** So, Madam Chair, that's my exactly..., so, that's
2497 my concern. Again. So, Mr. Evans, you're saying that the oral should not be taken in
2498 consideration when we're doing the selection?

2499 **City Manager Evans:** I'm, I'm saying when you, when you were talking to..., when
2500 you put the motion on the table to enter into negotiations with 'x' firm, I think that's a
2501 cleaner motion than making an amended motion to add the written and the oral scores
2502 together, and then that would be, in essence, the justification to enter into negotiations
2503 with HCT. I think it just is a cleaner process versus combining those when it's been
2504 communicated in all documentation that's been provided to the submitting firms that orals
2505 presentations would not have a numeric value to it, and that they would rank the, the firms
2506 as part of the process.

2507 **Chairperson Botel:** I wanna understand that cl'... I'm not sure I understand what
2508 you're saying, Mr. Evans. [Stammer]..., who wrote the RFP? The Committee or the
2509 Procurement Director?

2510 **City Manager Evans:** The, the Committee actually wrote the RFP. The Committee
2511 started off on a draft and then Staff was tasked with finding probably about half a dozen
2512 RFP's and the Committee went section by section and added and modified, and the
2513 Internal Auditor, as well as the Procurement Director helped scribe the, the RFP for
2514 submission. Is that...

2515 **Chairperson Botel:** And, and...

2516 **City Manager Evans:** ...correct, Councilperson Lanier?

2517 **Councilperson Lanier:** Yes. That is correct. The Committee first met with a RFP
2518 from the City. We asked, we asked the Staff to bring us back four or five different RFP's
2519 from different municipalities. We cut all of those up, put together a RFP to be placed on...,
2520 to be placed out for bid and that's where we started with the, with this whole process, with
2521 doing the RFP itself.

2522 **Chairperson Botel:** So was the oral portion communicated to the respondents?

2523 **Councilperson Lanier:** Yes.

2524 **Chairperson Botel:** [Stammer]..., okay. So, so they knew there would be a written
2525 part, that would... Was it explained to them that the written part would be the basis for
2526 inviting them to an oral presentation?

2527 **Councilperson Lanier:** I'm sure that it was. I'm sure that there was..., they, they
2528 were..., they understood there was a written and there was a oral.

2529 **Chairperson Botel:** Okay. Okay. So they knew..., and they knew that the oral
2530 would be counted as part of their score, of their ranking?

2531 **Councilperson Lanier:** Yes.

2532 **Chairperson Botel:** Okay. Good.

2533 **Councilperson Miller-Anderson:** But I thought Mr. Evans just said no.

2534 **Chairperson Botel:** Mr. Evans, did you just...

2535 **City Manager Evans:** Their, their..., the written part of the selection process was to
2536 shortlist to the top ranked firms that would go to the next phase, which was the oral
2537 presentations where the Board was able to select a series of questions and they asked
2538 the questions and then they ranked. So, the shortlisting of the process is, is similar to
2539 you accepting resumes and obviously moving a couple folks onto the face to face
2540 interview process. And so, as part of that, the Board did ask a series of questions, and I
2541 believe the same questions to all the firms, and then after the interviews, then they ranked
2542 who they thought were the first, second and third ranked for'..., firms, individually and then
2543 Ms. Pemsel reconciled that and then provided the Board with the list to be considered this
2544 evening.

2545 **Chairperson Botel:** Okay. So they, so they knew that the oral was definitely a part
2546 of the process, and they knew that the written was to elevate them if their, if their written
2547 came, you know, met the criteria, then they could be elevated to the oral part. It's just
2548 like, as I said earlier, when you do..., when you're hiring somebody, you get the..., you get
2549 their paperwork but you don't hire them based on their paperwork, you hire them based
2550 on the interview. And, and you certainly..., although you may not have..., you may not
2551 have criteria that you're sharing. You know, we don't know what the questions were, for
2552 example, but we know that this group of people that we selected to be in this Committee,
2553 I think all of them are professionals. At least we've heard that two of them are CPA's,
2554 decided that the, that the first firm was Grau, the second firm was Davis and the third firm
2555 was HCT. That's...

2556 **City Manager Evans:** And, and, Madam Chair, if I may? I, I'm not a hundred percent
2557 sure that those firms knew explicitly that that's how the process would go because, I would
2558 say this, that if they've submitted for other RFP's and other entities, there is situations
2559 where oral presentations have a scoring rubric and, and that's a... So that would be a
2560 question that I..., I think would be better suited posed to the firms that submitted to the
2561 RFP. Because it's done differently in different municipalities so, you know, I can't say
2562 with one hundred percent assurity that they knew that the oral presentation was just to

2563 ask the questions and then there would be a ranking from the individual Board members
2564 as to who the first, second and third ranked firms would be.

2565 **Chairperson Botel:** Okay. [Sigh]. So, where are we? Ms. Miller-Anderson has a,
2566 a [stammer] a motion on the floor, and the motion that she posed, quite [chuckle] some
2567 time ago, included that she wanted us to consider only the written portion of the
2568 Committee's work. Do you want to revise your motion to eliminate any reason and just
2569 say that your motion says I want us to negotiate with HCT? Period.

2570 **Councilperson Miller-Anderson:** Mr. Evans, that's, that's what you're
2571 suggesting? Right, Mr. Evans?

2572 **City Manager Evans:** Yes. That, that's what I'm suggesting.

2573 **Councilperson Miller-Anderson:** Yes. That's my motion.

2574 **Chairperson Botel:** Okay. Who seconded it?

2575 **Councilperson Miller-Anderson:** Then, Mr. McCoy, McCoy?

2576 **Chairperson Botel:** Mr., I think Lawson said second.

2577 **Chair Pro Tem Lawson:** No. I second it for this...

2578 **Councilperson Miller-Anderson:** Oh. Well, so McCoy, his..., so, his suggestion of
2579 an amendment to do the combination is..., has been disposed of, Ms. Anthony?

2580 **City Clerk Anthony:** That is correct.

2581 **Chairperson Botel:** Yes. The only other thing we had under consideration,
2582 potentially, was Ms. Lanier's request but that came after your motion was made and
2583 seconded. So I guess we have to dispose of that first. Yes, Madam Clerk?

2584 **Councilperson Lanier:** Right. So, so what's the motion? Give me the motion again.

2585 **Chairperson Botel:** The motion, as I believe it is...

2586 **City Clerk Anthony:** [Stammer] okay.

2587 **Chairperson Botel:** ...is to enter into...

2588 **City Clerk Anthony:** Madam Chair?

2589 **Chairperson Botel:** Yes.

2590 **City Clerk Anthony:** Madam Chair? Let me see if I can help you out here.
2591 Councilperson Lanier did put forth a motion to have the Audit Committee present to the
2592 Board. However, a second was not given. Okay?

2593 **Chairperson Botel:** I think that's because I stopped her practically midsentence
2594 because we had a motion on the floor already. If, if a, if a, if a second had been given, I
2595 mean...

2596 **City Clerk Anthony:** Okay. So, am I...

2597 **Chairperson Botel:** ...[inaudible]...

2598 **City Clerk Anthony:** ...to understand, correctly for the clarification for the.., of the
2599 record that there's no motion from Councilperson Lanier?

2600 **Chairperson Botel:** Not yet.

2601 **Councilperson Lanier:** No. There's a motion from me to have the Committee to come
2602 because of.., I want to clear up the confusion for this Committee, and for them to be able
2603 to defend themselves in terms of the way they ranked, the way they used the evaluative
2604 measures. So yes, I wanted the Committee to come forward.

2605 **City Clerk Anthony:** Okay. Councilper'.., Chair Botel, Councilperson Lanier has
2606 stated that she's putting a motion on the floor, she had put a motion on the floor. So, I
2607 believe it, it is protocol that we need to ask for a second on that. Once you ask for a
2608 second on that, if it is seconded, then we need to dispose of that motion one way or the
2609 other...

2610 **Chairperson Botel:** Are we not required to dispose of Councilperson Miller-
2611 Anderson's motion first?

2612 **City Clerk Anthony:** Understand, Council.., Chair Botel, in parliamentary
2613 procedures, as many motions as wanted can be put on the floor. We...

2614 **Chairperson Botel:** Okay.

2615 **City Clerk Anthony:** ...just have to [stammer] take them in the order, you know...

2616 **Chairperson Botel:** Okay.

2617 **City Clerk Anthony:** ...[inaudible] and go backwards. Okay?

2618 **Chairperson Botel:** Alright.

2619 **City Clerk Anthony:** So...

2620 [Inaudible comment]

2621 **Chairperson Botel:** Thank you.

2622 **City Clerk Anthony:** Hold on. Before we proceed, am I to understand, after we
2623 dispose of what.., well, if it's determined whether or not we have a motion from.., a second
2624 to the motion made by Councilperson Lanier, Councilperson Miller-Anderson's motion

2625 has been cleaned up to state that she's.., to negotiate with HCT, period. No other stuff
2626 is.., was it that made it.., makes it cleaner, based upon the recommendation from Mr.
2627 Evans. Am I correct about that? Could somebody...

2628 **Councilperson Miller-Anderson:** [Inaudible] stated, Mr. Evans, that's, that's the
2629 way you're saying go into negotiations with HCT, period? Correct? Yes.

2630 **City Clerk Anthony:** Okay. And am I to understand that Councilperson Lawson,
2631 your second still stands according to.., for that motion?

2632 [Pause]

2633 **Chairperson Botel:** Your, your sound is not on.

2634 **City Clerk Anthony:** You're muted, so we can't hear you.

2635 **Chair Pro Tem Lawson:** Sorry. Thank you. And, is the motion encompassed that
2636 we're basing it upon the written portion...

2637 **Chairperson Botel:** No.

2638 **Chair Pro Tem Lawson:** ...of the...

2639 **City Clerk Anthony:** No.

2640 **Chair Pro Tem Lawson:** [Inaudible]...

2641 **City Clerk Anthony:** No, Councilperson...

2642 **Chair Pro Tem Lawson:** ...going into negotiations with HCT?

2643 **Chairperson Botel:** Right.

2644 **City Clerk Anthony:** Correct. It's going into negotiations.

2645 **Chair Pro Tem Lawson:** Yeah. My second still stands.

2646 **City Clerk Anthony:** Okay.

2647 **Councilperson Lanier:** Okay. And, the motion...

2648 **City Clerk Anthony:** So, Madam...

2649 **Councilperson Lanier:** ...that I make.., the motion that I made to bring the, the Audit
2650 Committee to provide information and clarity to their recommendations, I'm asking the
2651 Chair to pass the gavel to make a second for that motion.

2652 **Councilperson McCoy:** Well, I, I got a question and I don't have a problem with making
2653 a second, but I wanted to ask a question. And, you [inaudible]...

2654 **City Clerk Anthony:** Okay.

2655 **Councilperson McCoy:** ...gavel...

2656 **City Clerk Anthony:** Councilperson McCoy, can we get a second to her... Is your
2657 question pertaining to the, the motion by Ms. Lanier?

2658 **Councilperson McCoy:** My question is gonna be regarding her motion because it's
2659 procedural in nature.

2660 **City Clerk Anthony:** Okay. Can we get a second to that so you can ask your
2661 question?

2662 **Councilperson McCoy:** [Inaudible] ask the question because it's procedural.

2663 **City Clerk Anthony:** Okay.

2664 **Councilperson McCoy:** If we adopt the motion that Councilwoman Lanier is
2665 proposing, does that then dispose of the original motion? Because, well far as I'm
2666 concerned, if we accept that motion to bring the Committee, they can come, they can
2667 come and tell us after the fact but that shouldn't have any bearing on the first thing. Now,
2668 if she's offering to for some reason stop what Councilwoman Miller-Anderson has
2669 proposed, then she should vote against it. But, nothing in her mo'.., motion kinda
2670 suggests that that dis'.., disposes of the original motion.

2671 **City Clerk Anthony:** Okay. So if I understand your question correctly,
2672 Councilperson McCoy, you're asking if Councilperson Lanier's question.., motion trumps
2673 Councilperson Miller-Anderson. Am I correct?

2674 **Councilperson McCoy:** No. I'm not asking that. If we adopt what Councilwoman
2675 Lanier is proposing, to allow the Committee to come forward, she said it in just the plain
2676 terms of them coming forward. She never suggested what affect that has on the original
2677 motion. So they can come forward at any moment, but what I'm saying is, how does that
2678 pertain to the motion that Councilwoman [stammer] Miller-Anderson has already offered?

2679 **Chairperson Botel:** I, I think I can clarify what Mr. McCoy is asking 'cause I think I
2680 have the same question. Councilwoman Lanier's motion makes moot Councilwoman
2681 Miller-Anderson's motion...

2682 **Councilperson McCoy:** [Inaudible]...

2683 **Chairperson Botel:** ...because...

2684 **Councilperson McCoy:** [Inaudible].

2685 **Chairperson Botel:** Wait, wait, wait. Let me finish, let me finish.

2686 **Councilperson McCoy:** Don't, don't that.

2687 **Chairperson Botel:** [Inaudible].

2688 **Councilperson McCoy:** ...[inaudible] her motion. Don't you do that.

2689 **Chairperson Botel:** No, no, no. Wait, wait. What I'm saying is [chuckle]... Wait,
2690 wait, wait. I'm not trying to do that. What I'm saying is...

2691 **Councilperson McCoy:** I'm gonna turn of my camera.

2692 **Chairperson Botel:** ...Councilwoman's [stammer] Lanier's motion, how can I say
2693 this, it doesn't make... [Stammer] if we were to vote on Councilwoman Miller-Anderson's
2694 motion, and it passes, there's no point in having the Committee come. Is that what, what
2695 you were trying to say, Mr. McCoy?

2696 **Councilperson McCoy:** But that's not what she was trying to suggest.

2697 **Councilperson Miller-Anderson:** No.

2698 **Chairperson Botel:** I know. I know but what you were trying to say is that if we
2699 were to vote on Ms. Miller-Anderson's motion, it, it makes it unnecessary for Ms. Lanier's
2700 motion to even be considered because we will have made a decision that obviates the
2701 need to have the Committee come before us.

2702 **Councilperson McCoy:** No. That's not correct.

2703 **Chairperson Botel:** Okay. I'm wrong.

2704 **Councilperson McCoy:** I want them to come forward. Bu that didn't have any bearing
2705 on the existing motion and if it does, I wanna get clarification. I would love to hear from
2706 the Committee. What I'm saying to you is, I don't necessarily think that we should be
2707 hearing from them before we take action on this Item. Is that what Councilwoman Lanier's
2708 intention is?

2709 **Councilperson Lanier:** My intention.., and I thought that I had made my motion prior
2710 to this, that I want the Committee to come forward because, Ms. Anderson you, you guys
2711 changed your motion. But I had made my motion to bring the Committee forward. I did
2712 not get a second. I requested that the Council.., that the Chair pass her gavel to give me
2713 a second on this motion. You can vote it up or down. That's how it goes.

2714 **Councilperson McCoy:** So, simply. I, I mean, I don't know any other way to put this, I
2715 wanna support your motion, Councilwoman Lanier, but my question is this, are we saying
2716 once we approve your motion that they're gonna come forward and there's not a need to
2717 have this Item anymore? Is that what you're saying? That we're gonna deliberate...

2718 **Councilperson Lanier:** I want... The motion.., she can.., Ms. Anderson can make a
2719 motion.., Councilwoman Anderson can make a motion for whatever she wants. There's
2720 nothing that I can do about that. All I'm saying is that the motion that I'm making is to give
2721 the respect to this Committee, that spent two months working.., a month and a half,

2722 working on this [stammer], these recommendations to., because there is., the reason
2723 why we're going with another motion is because there is some., there's no clarity here
2724 about what it is that you think that the Committee did. So, bringing...

2725 **Councilperson McCoy:** [Inaudible].

2726 **Councilperson Lanier:** ...this Committee to you to be able to tell you, answer your
2727 questions about their., how they made their decision, what they made their decision on,
2728 what they based it on. Let them tell you this. Not me.

2729 **Councilperson McCoy:** Okay. But, do we want them to come forward next week? Or
2730 maybe in the month of October? That's what I'm asking you. Does this now, does this
2731 now set aside the actual audit...

2732 **Councilperson Lanier:** We can, we can have them come forward, I can make an
2733 amended motion for them to come forward at the next meeting.

2734 **Councilperson McCoy:** Okay. Alright.

2735 **Chairperson Botel:** Can I just say something? There's no., unless Ms. Miller-
2736 Anderson., Councilwoman Miller-Anderson withdraws her motion, what is the point of, of
2737 voting? I mean, I too., I would like to hear from the Committee. I think it...

2738 **Councilperson Lanier:** I want...

2739 **Chairperson Botel:** ...would be healthy...

2740 **Councilperson Lanier:** I want...

2741 **Chairperson Botel:** ...for us.

2742 **Councilperson Lanier:** I want it on the record that this Committee., this Council does
2743 not want to see the...

2744 **Chairperson Botel:** Okay. I, I want to see the Committee. But, unless Ms. Miller-
2745 Anderson withdraws her motion, your motion...

2746 **Councilperson McCoy:** No.

2747 **Chairperson Botel:** ...to see...

2748 **Councilperson McCoy:** That's not...

2749 **Chairperson Botel:** ...the Committee... What, what... Well, tell me then 'cause
2750 I'm not understanding it then because...

2751 **Councilperson McCoy:** [Stammer]...

2752 **Chairperson Botel:** ...if, if, if, if Ms. Miller-Anderson's motion is accepted, then
2753 what is.., then, then what we have said essentially is we reject the opinion of the
2754 Committee, we're gonna go with the third ranked [stammer] we're gonna go with
2755 negotiating with the third ranked firm and, and proceed that way. Why would the
2756 Committee even care to entertain us with appearing before us?

2757 **Councilperson Lanier:** And why would anyone wanna be on a Committee?

2758 **Chairperson Botel:** Why, why would, you know, what, what's the point? There's
2759 no point. We'd, we'd essentially said, 'Committee, thanks very much, we're ignoring you.'
2760 So, that, that's why I'm asking you...

2761 **Councilperson Miller-Anderson:** Uh-uh. I wanna be very clear, that is not the
2762 case, so please do not put words in my mouth. That is...

2763 **Chairperson Botel:** Alright.

2764 **Councilperson Miller-Anderson:** ...not what I said.

2765 **Chairperson Botel:** Okay.

2766 **Councilperson Miller-Anderson:** I told you all, about five times, why I said what I
2767 said.

2768 **Chairperson Botel:** Yes.

2769 **Councilperson Miller-Anderson:** And that has not changed. I would love to hear
2770 from the Committee, but them coming, they're only gonna verbally tell me what they were
2771 thinking, in their head. And my point is, I don't see anything in writing in terms of what
2772 the criteria is. It has nothing to do with who was on it, what they thought about, there's
2773 just no concrete information on the oral presentation. I'm done with that part. But don't
2774 put words in my mouth as to me not wanting to see them...

2775 **Chairperson Botel:** Right.

2776 **Councilperson Miller-Anderson:** ...not wanting to hear from them. That's not the
2777 case. It's not about individuals, it's not about what people feel and whether they wanna
2778 do it again, I'm talking about facts right now. And I'm talking about what's in black and
2779 white. I don't see it there for oral.

2780 **Councilperson Lanier:** And, and...

2781 **Councilperson Miller-Anderson:** That's it.

2782 **Councilperson Lanier:** ...Madam Chair, what, what we can do, Madam Chair, if the,
2783 if the, if the Committee comes forward, they can bring.., and all this is a part of public
2784 record as well, they bring the notes that they made during oral, oral presentations, they
2785 can bring the questions that they asked during oral presentations because if there needs

2786 to be a basis for ranking, the notes that they made, questions that they asked, answers
2787 that the, the..., that the, the firms gave can be basis for their ranking. And ranking itself,
2788 ranking is an evaluative measure within itself. It's just that maybe people don't like the
2789 fact that it's ranking, but don't say that ranking is not an evaluative tool, because it is.

2790 **Chairperson Botel:** I agree with you, Ms. Lanier..., Councilwoman Lanier.

2791 **Councilperson Miller-Anderson:** But no one said that.

2792 **Chairperson Botel:** Wait. Excuse me. The problem I'm having is, that if we vote,
2793 if we..., if Ms. Miller-Anderson's motion is approved, then we've gone forward with this
2794 process without having, [stammer]..., what is the point of having the Committee come and
2795 explain to us because we've already entered into negotiations...

2796 **Councilperson McCoy:** Can I give you...

2797 **Chairperson Botel:** ...with HCT?

2798 **Councilperson McCoy:** Can I give you the point, 'cause it's statutorily...

2799 **Chairperson Botel:** Yes.

2800 **Councilperson McCoy:** ...required. And all we need is them to recommend. And it
2801 doesn't bind us to a recommendation.

2802 **Councilperson Lanier:** Right.

2803 **Councilperson McCoy:** So I appreciate their service and I appreciate their
2804 recommendation. But, why we have to do it is because it's required. And, I mean...

2805 **Chairperson Botel:** I'm not...

2806 **Councilperson McCoy:** ...[inaudible] but I definitely wanna hear from the Committee
2807 but I don't wanna hear from the Committee about this, that it's gonna change our, our
2808 response. Because, quite honestly, it was never about their justifications. I mean, thank
2809 you for your, your recommendations and move on. But if they wanna come in, you know,
2810 saying Mary had a little lamb, I mean, whatever. But, I mean...

2811 **Councilperson Lanier:** No. No. That...

2812 **Councilperson McCoy:** ...don't make it about being something against them because,
2813 because I don't literally... It said the same thing that I served on the P&Z for probably
2814 eight years, for seven or eight years and there was several times I was a little disappointed
2815 but, you know, it begins and ends right there and there was never any ill feelings or hard
2816 feelings and, you know, the audio recording and the video is always there for the Members
2817 to review. Right? So, I mean, to suggest that, for some reason that there's some other
2818 motive, I mean..., we, we are in receipt of your recommendation. It's been well taken.

2819 Then we can just move on and make a decision.

2820 **Chairperson Botel:** Okay. I., did you second Ms., Councilwoman Lanier's
2821 motion...

2822 **Councilperson McCoy:** Far as...

2823 **Chairperson Botel:** ...for us to call...

2824 **Councilperson McCoy:** ...the Committee to come forward?

2825 **Chairperson Botel:** Yes.

2826 **Councilperson McCoy:** Well, I., clearly, it apparently seems that nobody wants to
2827 clarify what that means. I'm asking you are we going to basically table the, the
2828 recommendation that Councilwoman Miller-Anderson has, if this approves? So that's
2829 either yes or no. It's not all of that other stuff because, if not, then, I mean...

2830 **Councilperson Lanier:** Well, let me, let me restate my motion. I want to make a
2831 motion that the Committee., before we make a decision about who to negotiate with, that
2832 the, the Committee., the Council hears the Committee and the process, and what they
2833 did to get to their rankings. If that is., and once that is done, once the Committee is
2834 heard, because I'm s'., I, I., regardless of what Ms. Anderson says, I still feel like the
2835 sentiment and the tone here is that the Committee., there was some., that, that there
2836 was something that was not so much kosher or not so much., there was just really, you
2837 just don't understand...

2838 **Councilperson McCoy:** Hold on. Hold on. [Inaudible].

2839 **Councilperson Lanier:** ...really what was going on with them. So, I really want the
2840 Committee to be able to say to the Council, 'This is what we did, this is how we did it,'
2841 and...

2842 **Unk.:** [Inaudible].

2843 **Councilperson Lanier:** ...[inaudible] process taken care of, then we can move on to
2844 making that decision.

2845 **Councilperson McCoy:** Okay. [Stammer]...

2846 **Chairperson Botel:** Mr. McCoy, go ahead. Sorry.

2847 **Councilperson McCoy:** Okay. I'm asking, what was her motion because she said a
2848 whole lot. So...

2849 **Councilperson Lanier:** [Chuckle].

2850 **Chairperson Botel:** She was making a motion...

2851 **Councilperson McCoy:** [Inaudible].

2852 **Chairperson Botel:** Re'..., re'..., restate it Ms., Councilwoman Lanier.

2853 **Councilperson Lanier:** I was making a motion that before we move any further with
2854 choosing a selection, or choosing a firm, that we hear from the Audit Committee to give
2855 their position on the decisions that they made. And that can be done at the next Council
2856 meeting, and after that, the Council can make a decision after that presentation about
2857 what they want to do and who they want to negotiate with.

2858 **Chairperson Botel:** Mr. McCoy? [Pause]. Mr. McCoy, did you wanna second
2859 that?

2860 **Councilperson McCoy:** No, ma'am.

2861 **Councilperson Miller-Anderson:** Well how long... We don't normally wait that
2862 long to, to call whether or not there was a second.

2863 **Chairperson Botel:** No, no. I [stammer], he said that he wanted to ask her a
2864 question before he seconded. So, that's why I'm asking if he wanted to. My problem,
2865 Councilwoman Lanier, is this. If, and [stammer] without..., I don't wanna put words in the
2866 mouth of any of my colleagues so please forgive me if it sounds like I'm doing that, I don't
2867 mean to do that. What I wanna clarify is, we have a motion on the floor that is asking us
2868 to enter into negotiations with one of the firms. Your motion is asking us not to enter into
2869 negotiations until we hear from the Committee. So, there is no...

2870 **Councilperson Lanier:** You would be...

2871 **Chairperson Botel:** ...point...

2872 **Councilperson Lanier:** ...correct.

2873 **Chairperson Botel:** Right. So, I don't think that procedurally we can do that. I
2874 mean, I, I think that... Go ahead Ms. Lanier.

2875 **Councilperson Lanier:** There's a motion on the floor, then you get a second and then
2876 we..., we take a vote and then that's it.

2877 **Chairperson Botel:** But the, the first motion was made by Councilwoman Miller-
2878 Anderson.

2879 **Councilperson Miller-Anderson:** But, Madam...

2880 **Councilperson Lanier:** [Inaudible]...

2881 **Councilperson Miller-Anderson:** ...Madam Chair?

2882 **Councilperson Lanier:** ...first motion was...

2883 **Chairperson Botel:** Who was talking?

2884 **Councilperson Miller-Anderson:** She made a motion, she didn't get a second.
2885 Now we need to move on. I mean, why are we still explaining...

2886 **Chairperson Botel:** Because I would second it if no one else would. I would pass
2887 the gavel. But...

2888 **Councilperson Miller-Anderson:** Okay. Well, that's what we to probably do then.

2889 **Chairperson Botel:** Yeah. But then what's the point? Because, if your motion is,
2890 is taken first then it obviates the need for her motion, in my mind.

2891 **Councilperson Miller-Anderson:** But listen. But, the thing is, we vote on it. If the
2892 whole Cou'.., if the majority feels that way, then they vote yes. If they don't, they vote no.
2893 And then they come back to mine.

2894 **Chairperson Botel:** Alright. I'm gonna.., I will pass the gavel to Chair Pro Tem
2895 Lawson and make a second on Ms. Lanier's so that we can move forward. So, I second
2896 Ms. Lanier's motion. Now, can we please take a vote on Ms. Miller-Anderson's motion
2897 before I lose my mind.

2898 **Councilperson Miller-Anderson:** No. We have the vote on Ms. Lanier's.

2899 **Chairperson Botel:** Madam Clerk, can we do that?

2900 **Councilperson Miller-Anderson:** We have to do that.

2901 **City Clerk Anthony:** We have to vote on Ms. Lanier's motion first.

2902 **Councilperson McCoy:** You need a second first.

2903 **Chairperson Botel:** Okay. Okay. Okay.

2904 **City Clerk Anthony:** Councilperson...

2905 **Chair Pro Tem Lawson:** Madam Clerk.

2906 **City Clerk Anthony:** ...McCoy, Chair Botel passed the gavel to Cou'.., Pro Tem
2907 Lawson so that she could second the motion.

2908 **Councilperson McCoy:** Oh, Ms. Anthony, you said what? She passed the gavel?
2909 What rule is that?

2910 **Chairperson Botel:** Did you have to remind him? You had to.., you had to wake
2911 him up over there and remind him? [Chuckle].

2912 **City Clerk Anthony:** Say that again. Okay. You're going in and out so I can't
2913 really...

2914 **Councilperson McCoy:** I want you to...

2915 **Unk.:** [Inaudible].

2916 **Councilperson McCoy:** ...[inaudible] the rule where you're permitted to pass the
2917 gavel. So we can do that later this week perhaps. Mr. Evans,...

2918 **Chairperson Botel:** Okay. Good.

2919 **Councilperson McCoy:** ...[inaudible] provide for that?

2920 **City Clerk Anthony:** Are we ready for the vote?

2921 **Chairperson Botel:** Yes, Madam Clerk. Please, we're voting...

2922 **Chair Pro Tem Lawson:** Madam Clerk.

2923 **Chairperson Botel:** ...on Ms. Lanier's [stammer], we're voting on Ms. Lanier's...

2924 **City Clerk Anthony:** Madam Chair, you're not the Chair right now. Mr...

2925 **Chair Pro Tem Lawson:** [Inaudible].

2926 **City Clerk Anthony:** ...Lawson's...

2927 **Chairperson Botel:** Oh. [Chuckle].

2928 **City Clerk Anthony:** ...the Chair.

2929 **Chair Pro Tem Lawson:** Ma'..., Ma'..., Madam Clerk, if you could go forward with the
2930 vote. I always waited for this. [Chuckle].

2931 **Chairperson Botel:** Thank you, Chair Pro Tem. [Chuckle].

2932 **Chair Pro Tem Lawson:** [Chuckle].

2933 **City Clerk Anthony:** Councilperson McCoy?

2934 **Councilperson McCoy:** No.

2935 **City Clerk Anthony:** Councilperson Miller-Anderson?

2936 **Councilperson Miller-Anderson:** No.

2937 **City Clerk Anthony:** Councilperson Lanier?

2938 **Councilperson Lanier:** Yes.

2939 **City Clerk Anthony:** Councilperson Botel?

2940 **Chairperson Botel:** Yes.

2941 **City Clerk Anthony:** Chair Lawson?

2942 **Chair Pro Tem Lawson:** No.

2943 **Councilperson McCoy:** And Councilman... But...

2944 **City Clerk Anthony:** That person... That motion fails with Councilpersons McCoy,
2945 Miller-Anderson and Lawson dissenting.

2946 **Councilperson McCoy:** Chair...

2947 **Chair Pro Tem Lawson:** Thank you, Ms. Anthony.

2948 **Councilperson McCoy:** ...Lawson...

2949 **Chair Pro Tem Lawson:** ...and...

2950 **Councilperson McCoy:** ...keep the gavel.

2951 **Chair Pro Tem Lawson:** I'm, I'm gonna hold on to this gavel for a while then.

2952 **Chairperson Botel:** Give me that back.

2953 [Chuckles]

2954 **Chair Pro Tem Lawson:** I'm keeping this gavel, Madam Chair.

2955 **Chairperson Botel:** I'm reaching in my screen. [Chuckle]. Don't get comfortable.
2956 Yet. [Chuckle].

2957 **Chair Pro Tem Lawson:** Alright.

2958 **Chairperson Botel:** Alright. Now...

2959 **Chair Pro Tem Lawson:** I, I'm gonna pass the gavel back to our Chair.

2960 **Chairperson Botel:** Alright. Now we can take Councilwoman Miller-Anderson's
2961 motion. No, did we... Okay. And, we.., and then we'll ask for a price from HCT and from
2962 Grau, we can put a... So, Madam Clerk.

2963 **Councilperson Miller-Anderson:** Wait. Hold on. What now?

2964 **City Clerk Anthony:** Okay. Madam Chair, we're authorizing negotiations with
2965 HCT.

2966 **Chairperson Botel:** Right.

2967 **City Clerk Anthony:** [Stammer]...

2968 **Chairperson Botel:** Oh, that's right.

2969 **City Clerk Anthony:** ...[inaudible] if I'm correct.

2970 **Chairperson Botel:** You're right. Just HCT then. Sorry.

2971 **City Clerk Anthony:** Okay. Okay.

2972 **Chairperson Botel:** Go ahead. I'm sorry. I take that back.

2973 **City Clerk Anthony:** Alright.

2974 **Chairperson Botel:** Madam Clerk, please call the motion.

2975 **City Clerk Anthony:** [Chuckle].

2976 **Chairperson Botel:** Please.

2977 **City Clerk Anthony:** Councilperson McCoy?

2978 **Councilperson McCoy:** Yes.

2979 **City Clerk Anthony:** Councilperson Miller-Anderson?

2980 **Councilperson Miller-Anderson:** Yes.

2981 **City Clerk Anthony:** Councilperson Lanier?

2982 **Councilperson Lanier:** No.

2983 **City Clerk Anthony:** Pro Tem Lawson?

2984 **Chair Pro Tem Lawson:** Yes.

2985 **City Clerk Anthony:** Chair Botel?

2986 **Chairperson Botel:** No.

2987 **City Clerk Anthony:** That motion is approved with Councilpersons Lanier and Botel
2988 dissenting.

2989 **Chairperson Botel:** Now, if we could hear from Mr., where'd he go, Ander'..., Mr.
2990 Harvey. Mr. Harvey, are you prepared to give us the price for your work on this project?

2991 **Councilperson Miller-Anderson:** Madam Chair?

2992 **Chairperson Botel:** Yes, Ms. Miller-Anderson?

2993 **Councilperson Miller-Anderson:** Are we going into negotiations...

2994 **Chairperson Botel:** That's what...

2995 **Councilperson Miller-Anderson:** ...now?

2996 **Chairperson Botel:** Ms. Wynn suggested we do that earlier, so.

2997 **Councilperson Miller-Anderson:** Ms. Wynn?

2998 **Chairperson Botel:** Yes.

2999 **Councilperson Miller-Anderson:** Ms. Wynn, can you...

3000 **City Attorney Wynn:** No. I, I told you that you had a choice. You can negotiate or
3001 you can designate someone to do it, to negotiate.

3002 **Chairperson Botel:** So.

3003 **City Attorney Wynn:** So, it's totally up to you. If you negotiate now, and we come
3004 to an agreement, you vote, we'll bring..., we'll have the, the contract available for signature.
3005 If you designate, then we can go back and negotiate with Mr. Harvey...

3006 **Chairperson Botel:** And remind...

3007 **City Attorney Wynn:** ...and his firm and bring a contract back.

3008 **Chairperson Botel:** And remind me when the, the audit was due to the state?
3009 Yesterday? I think we better...

3010 **City Attorney Wynn:** Yesterday.

3011 **Chairperson Botel:** ...get this done.

3012 **Councilperson Lanier:** Madam Chair?

3013 **City Attorney Wynn:** It's, it's the Council's decision.

3014 **Councilperson Lanier:** I...

3015 **Chairperson Botel:** Do we have to vote on it?

3016 **Councilperson Lanier:** Madam Chair?

3017 **Chairperson Botel:** Yes.

3018 **Councilperson Lanier:** I think that we..., I mean, we spent three hours on this. I think
3019 we..., we need to go ahead and, and work this out tonight. We can go..., we can talk with
3020 the, the people that are here. Let's negotiate with them now and let's go ahead...

3021 **Chairperson Botel:** We have to get it done.

3022 **Councilperson Lanier:** ...and put this to bed.

3023 **Chairperson Botel:** Mr. Harvey? [Pause]. Mr. Harvey?

3024 **Mr. R. Harvey:** Yes. Hello. Can you hear me?

3025 **Chairperson Botel:** Yes. We'd like to hear your price for this work.

3026 **Mr. R. Harvey:** Thank you so much again. Thank you, Mayor and Commissioners.
3027 We are excited to be the CPA firm of choice. We are willing to offer a five to seven percent
3028 discount on the work. I will also lay at your feet that there are basically two audits that
3029 need to be done pretty quickly here. Obviously, the 2019 audit needs to be done. I am...,
3030 and we have people that we can get out and to the City in the month of July to start. And
3031 then, by the time we conclude that audit, we will be ready to move right into the 2020
3032 audit to get the City ready to get back on track, which would put that submission...,
3033 normally, Mr. Sherman likes the March slash April period, and so, we would like to get
3034 back. And so, due to the nature of getting the City back on track and having boots on the
3035 ground in a short time, we will offer a, a seven percent..., Let's just say seven percent..., I
3036 give a hard number, discount on our standard price we gave earlier.

3037 **Chairperson Botel:** So, could you please just give us the number? I wanna do the
3038 math to see what the difference is between the Davis price and yours, just to have it.

3039 **Mr. R. Harvey:** Oh okay. So...

3040 **Chairperson Botel:** So, we can have it on the record.

3041 **Mr. R. Harvey:** Yes, ma'am. The now reflected price starting at the \$90,980 with a
3042 seven percent discount, now gives a annual fee of \$84,611.40.

3043 **Chairperson Botel:** And so..., okay. \$84,611, I'm looking through my notes here.
3044 \$84,611 minus \$55,000. So, \$29,000 times five. A hundred and forty-eight..., \$148,057.
3045 Okay. So, the difference in price that we got from Davis and yours is \$147,051. Just so
3046 it's clear if we vote to accept that price from you, that's the cost to the taxpayers, a hundred
3047 and forty-seven dollars, \$147,051. Have I got that right Mr. McCoy and Mr. Lawson? I
3048 count on you to do the math.

3049 **Councilperson McCoy:** I'm sorry. I, I didn't even..., I kinda got off track here. So he's
3050 giving seven percent of what amount? The...

3051 **Chairperson Botel:** He's giving us a price of... Let me go back. I'll let you repeat
3052 it, Mr. Harvey.

3053 **Chair Pro Tem Lawson:** And, that is right. That is right, Madam Chair.

3054 **Chairperson Botel:** Okay.

3055 **Chair Pro Tem Lawson:** That number is...

3056 **Chairperson Botel:** So, the difference is...

3057 **Chair Pro Tem Lawson:** ...a hundred forty-seven...

3058 **Chairperson Botel:** ...\$147,000.

3059 **Chair Pro Tem Lawson:** \$148,000.

3060 **Chairperson Botel:** Let's say \$148,000. So, the difference that we would be
3061 voting on if we go with you is \$148,000.

3062 **Mr. R. Harvey:** And that is over a five year period.

3063 **Chairperson Botel:** Yes.

3064 **Mr. R. Harvey:** I would also note, that's a five year period. That price, with the
3065 discount is very consistent in years past, as Mr. Sherman has said. One of our prior fees
3066 was eighty-one, \$82,000. Also, consider that price includes the CRA. As your prior
3067 auditor, we have, in years past, charged the City, I think it was seventy-eight., seventy-
3068 nine. The CRA audit was closer to fifteen or sixteen thousand. So, that puts us in a very
3069 consimperate' place. And so, we believe the aggregate pricing we are giving you today,
3070 which includes the City and the CRA, the CRA is a separately issued report, that that is
3071 very fair and very consistent with the prices that we have done historically when you look
3072 at both five year contracts with the CRA, been about fifteen, sixteen thousand, and the
3073 City being in the high eights, high sevens.

3074 **Chairperson Botel:** Ms. Lanier, just a question for you, please. Both..., all the
3075 prices we got [stammer] combined the City and the CRA. Am I right?

3076 **Councilperson Lanier:** Yes.

3077 **Chairperson Botel:** Okay. And, Mr. McCoy, do you have a question?

3078 **Councilperson McCoy:** Okay.

3079 **Councilperson Lanier:** I had a question though. I wanted to follow up...

3080 **Chairperson Botel:** Ms. Lanier.

3081 **Councilperson Lanier:** ...with what you just asked. The question I wanted to ask is
3082 this, we have the second ranked firm with \$55,000, which is, over a course of five years,
3083 a \$148,000 difference.

3084 **Chairperson Botel:** Right.

3085 **Councilperson Lanier:** Between this firm and the S. Davis firm, and I think that we
3086 may can get a, a better discount from, from HCT, given the fact that we do have, on the

3087 table, a price that is significantly lower than even what they are trying to discount at seven
3088 percent.

3089 **Chairperson Botel:** I agree.

3090 **Mr. R. Harvey:** I would like to add one thing. Well, let me just state this very clearly,
3091 is as a partner of HCT, we price our work based on our firm. We have more experience
3092 doing municipal audits, especially than the firm you mentioned. And so, our experience
3093 should be considered. I can name several cities that we do. We do anywhere from eight
3094 to ten municipal clients throughout the South Florida area. I think we have more
3095 experience, if you look at our...

3096 [Audio stopped]

3097 **Councilperson McCoy:** [Inaudible].

3098 **Chairperson Botel:** Did we, did we lose him? Mr. Harvey? I think we lost you.
3099 [Pause]. I think we lost Mr. Harvey. It's kinda hard to negotiate when the other party is
3100 missing in action. Mr. Harvey, can you try to get back in the meeting? [Chuckle].

3101 **Chairperson Botel:** Mr. McCoy, did you wanna make a comment while we're
3102 waiting? [Chuckle].

3103 **Councilperson McCoy:** I'm, I'm sorry. I came in late on the matter. He offered
3104 seventy..., seven percent off of the annual amount? Is that correct?

3105 **Chairperson Botel:** Yes. The, the difference between Davis and HCT is \$148,000
3106 over the life of the contract.

3107 **Councilperson McCoy:** I thought I heard something like one forty. Where did
3108 that come from?

3109 **Councilperson Lanier:** He...

3110 **Chairperson Botel:** No, no.

3111 **Councilperson Lanier:** ...he offered...

3112 **Chairperson Botel:** One forty-s'..., \$147,051. Mr. Lawson, can you confirm that,
3113 please?

3114 **Chair Pro Tem Lawson:** Yeah. That's the amount of life of the contract difference
3115 between Davis and HTC.

3116 **Chairperson Botel:** Right.

3117 **Councilperson Lanier:** It's a hun'... It's, it's \$148,057.

3118 **Chairperson Botel:** Oh. Okay.

3119 **Councilperson McCoy:** Well, I'm sorry. I, I started doing the math with some..., a
3120 different way.

3121 **Councilperson Lanier:** That's almost \$150,000.

3122 **Chairperson Botel:** Right. [Pause]. Mr. McCoy, did you wanna say something?

3123 **Councilperson McCoy:** Well, I guess I was kind of approaching it a different way. I
3124 was looking at what that annual [audio skipped].

3125 **Mr. R. Harvey:** Hello, hello.

3126 **Chairperson Botel:** Okay.

3127 **Councilperson Lanier:** Even with the annual, Mr. McCoy, that's almost a \$35,000
3128 difference.

3129 **Councilperson McCoy:** Right. But here's the other thing that I ask, Mr. Edelman, can
3130 you mute him for a moment, please?

3131 **Mr. R. Harvey:** Hello, hello?

3132 **Chairperson Botel:** We hear you, Mr. Harvey. I think that's you we hear.

3133 **Mr. R. Harvey:** Okay. Yeah. I'm sorry. Yes. I mean, we're willing to work on our
3134 price. We would just ask the City to consider the two years that needs to be done.

3135 **Chairperson Botel:** Well, everybody who would respond to the RFP would be
3136 doing the same work. Am I correct? Same...

3137 **Councilperson Lanier:** No. You're correct.

3138 **Chairperson Botel:** ...two years.

3139 **Councilperson Lanier:** They would be doing two years as well.

3140 **Mr. R. Harvey:** Hello, hello?

3141 **Chairperson Botel:** Yeah. We can hear you, Mr. Harvey.

3142 **Mr. R. Harvey:** Can you hear me?

3143 **Chairperson Botel:** Yes.

3144 **Councilperson Lanier:** Uhuh.

3145 **Mr. R. Harvey:** I was saying that..., sorry for the technical difficulties. I was saying
3146 that we can offer a additional price discount for years three, four and five. We really
3147 believe that the fees for year one and two should be considered because of the quick

3148 nature of those two audits that need to be done. So, we are willing to discount further
3149 those additional years as a, a favor.., as, as a, you know, a way to connect with the City.

3150 **Councilperson Lanier:** Favor?

3151 **Mr. R. Harvey:** Well, I take that back, not as a favor, as a way to connect with the
3152 City.

3153 **Chairperson Botel:** And what would those prices be for years three, four and five,
3154 Mr. Harvey?

3155 **Mr. R. Harvey:** Okay. I mean [pause]. So, we are willing to offer...

3156 **Chairperson Botel:** And if you could give me the total five year so that I can make
3157 a comparison with the H'.., with Davis...

3158 **Mr. R. Harvey:** You want just a total five year?

3159 **Chairperson Botel:** Yes, please.

3160 **Councilperson Lanier:** And the percentage as well.

3161 **Chairperson Botel:** Yes.

3162 **Mr. R. Harvey:** Say that again, Ms. Lanier, Councilperson...

3163 **Councilperson Lanier:** And the...

3164 **Mr. R. Harvey:** ...Lanier?

3165 **Councilperson Lanier:** ...percentage as well.

3166 **Mr. R. Harvey:** Well, I was gonna give a...

3167 **Councilperson Lanier:** [Inaudible].

3168 **Mr. R. Harvey:** ...[inaudible] number instead of a percentage. So, I was gonna say
3169 for year one and two, \$84,000. And then, go down in year three, four and five to seventy-
3170 eight. Which is m'.., which is consimmerate with the fees we charged in our last contract,
3171 as per Mr. Sherman, so that would give no fee increased based on what we've charged
3172 as our firm over our last contract with the great City of Riviera Beach.

3173 **Chair Pro Tem Lawson:** And Mr. Harvey, real quick. Is that \$84,000 flat or is that
3174 \$84,611, which is the seven percent discount from the price you originally gave?

3175 **Mr. R. Harvey:** Yes, sir. I'm making it flat. I'm rounding it down so it's just a easy
3176 move number to calculate. So, I have \$84,000 year one, \$84,000 year two, \$78,000 for
3177 year three, \$78,000 for year four and \$78,000 for year five.

3178 **Chairperson Botel:** So now we're down to \$127,000 difference. Am I right, Mr.
3179 Lawson?

3180 **Chair Pro Tem Lawson:** Yeah.

3181 **Chairperson Botel:** Thank you. Ms. Miller-Anderson.

3182 **Councilperson Miller-Anderson:** Madam .., Madam Chair?

3183 **Chairperson Botel:** Yes.

3184 **Councilperson Miller-Anderson:** So, okay. So when we have RFP's and, you
3185 know, various proposals that are submitted, it's typically known if we're going to go by the
3186 price, we're determining the price on that. And so, is that what we're doing right now?
3187 We're going.., we're trying to select someone based on the.., what the other person
3188 submitted?

3189 **Chairperson Botel:** I think...

3190 **Councilperson Miller-Anderson:** Because if that's the case, we shoulda just did
3191 a, a.., just went by the lowest bidder because right now, that's what it sounds like we're
3192 trying to do, is go with the lowest bidder. And if that was the case, we shoulda just sent
3193 the RFP that way.., where...

3194 **Chairperson Botel:** I actually...

3195 **Councilperson Miller-Anderson:** ...you just had a hard bid.

3196 **Chairperson Botel:** I think we're just trying to get the best, best deal for the City of
3197 Riviera Beach, while still getting the best product. And I think we've already discount'...
3198 Well, I can't...

3199 **Councilperson Miller-Anderson:** Well, I, I.., and I, I agree. I understand that, that
3200 certainly should be the case, we need to see about getting the best... But we.., I think
3201 we're almost comparing apples to oranges in terms of their prices because he just.., you
3202 know, I don't know what her situation is, I don't know.., and right now I don't have it all in
3203 front of me, as to how long they been opened. I mean, there's a lotta factors, I guess, to
3204 consider and, and, and just from Davis suggesting that they gave that fifty percent
3205 discount, that was based on the fact, they just wanted to get the business. I don't think
3206 the two firms are in the same position, unless we're now saying, 'Well, that's what's
3207 important to us, is,' you know, we're not looking at the quality, we're not looking at, you
3208 know...

3209 **Chairperson Botel:** Oh [stammer] no.

3210 **Councilperson Miller-Anderson:** ...for the experience...

3211 **Chairperson Botel:** I, I think we are...

3212 **Councilperson Miller-Anderson:** ...we're not looking at all that.

3213 **Chairperson Botel:** We are, we are looking at the quality. We, we had a
3214 Committee take a look at all these...

3215 **Councilperson Miller-Anderson:** No, no. I'm talking about right now, just the
3216 amount...

3217 **Chairperson Botel:** Alright.

3218 **Councilperson Miller-Anderson:** ...right now.

3219 **Chairperson Botel:** Okay. Alright.

3220 **Councilperson Miller-Anderson:** That's all I'm talking about.

3221 **Chairperson Botel:** I have to...

3222 **Councilperson Lanier:** [Stammer]...

3223 **Councilperson Miller-Anderson:** I'm talking about the amount.

3224 **Chairperson Botel:** The quality was evident from the...

3225 **Councilperson Miller-Anderson:** Well, we already fi'... Yeah. We went., we've
3226 already crossed that bridge...

3227 **Chairperson Botel:** Don't wanna go back.

3228 **Councilperson Miller-Anderson:** ...that [inaudible] there. No, we're...

3229 **Councilperson Lanier:** So, yes.

3230 **Councilperson Miller-Anderson:** ...[inaudible].

3231 **Councilperson Lanier:** So, Madam, Madam Chair, I think that what we're doing now
3232 is actually negotiations. We are asking for., if we., if they ask., we ask them for a price.
3233 They say they can do this. We can ask if they wanna go lower. We can ask would you
3234 go lower...

3235 **Councilperson Miller-Anderson:** Right. But...

3236 **Councilperson Lanier:** We can... This is what they call negotiations. Let me finish
3237 talking.

3238 **Councilperson Miller-Anderson:** But I think we're comparing...

3239 **Councilperson Lanier:** Can I finish...

3240 **Councilperson Miller-Anderson:** ...to Davis...

3241 **Councilperson Lanier:** ...talking now?

3242 **Councilperson Miller-Anderson:** ...and saying...

3243 **Councilperson Lanier:** Can I finish talking?

3244 **Councilperson Miller-Anderson:** I'm gonna...

3245 **Councilperson Lanier:** I need to...

3246 **Councilperson Miller-Anderson:** ...make my point.

3247 **Councilperson Lanier:** ...finish talking.

3248 **Councilperson Miller-Anderson:** The \$55,000...

3249 **Councilperson Lanier:** No. I was talking first.

3250 **Councilperson Miller-Anderson:** ...shouldn't be referenced...

3251 **Councilperson Lanier:** I, I was talking first and...

3252 **Chairperson Botel:** Wait, okay.

3253 **Councilperson Lanier:** ...I'm saying that when we're looking at these firms, we had
3254 listed out the firms negoti'..., I mean, rankings from one to, from one to three and we had
3255 S. D. Davis as number two, based on..., not even any money involved. Based on just the
3256 qualifications of that firm. Now, we have went outside of that [stammer] ranking, which
3257 we very well can. Well, I didn't, and you come back and you said that we're gonna
3258 negotiate with HCT. This is exactly what we're doing right now. We're negotiating...

3259 **Councilperson Miller-Anderson:** We're...

3260 **Councilperson Lanier:** ...with HCT.

3261 **Councilperson Miller-Anderson:** And my point is again, the reference for the
3262 other company, I don't think that we should throw that in there and saying, you know, well,
3263 they did this. They have their reason for doing their pricing, so does the other one. And
3264 I just want...

3265 **Councilperson Lanier:** [Stammer]...

3266 **Councilperson Miller-Anderson:** ...to put out...

3267 **Councilperson Lanier:** ...it's, it's, it's...

3268 **Councilperson Miller-Anderson:** ...[inaudible]....

3269 **Councilperson Lanier:** ...called..., it's called comparison shopping...

3270 **Councilperson Miller-Anderson:** [Inaudible].

3271 **Councilperson Lanier:** ...I mean, if I go to Target and it's more money, and then if I
3272 go to Walmart it's less money, then that's how you comparison shop..

3273 **Chairperson Botel:** Okay. Ms. Miller-Anderson...

3274 **Councilperson Miller-Anderson:** One of the other things...

3275 **Councilperson Lanier:** [Inaudible].

3276 **Chairperson Botel:** Ms. Lanier...

3277 **Councilperson Miller-Anderson:** One of the...

3278 **Chairperson Botel:** ...let Ms. Miller-Anderson finish her statement and then we
3279 can... Go ahead, Ms. Miller-Anderson.

3280 **Councilperson Miller-Anderson:** One of the other things I want to point out is that
3281 why I know it's important for us to try to get through this tonight and, and make this
3282 decision with the negotiations, but as you can see, there's five of us on here, plus the
3283 Mayor. We could be here for all nightlong with this. Typically, I've never been a part of
3284 a Council when we did the negotiations, all five of us. Typically, we would have they
3285 Attorney go and do it or you would have one of the Councilpeople go. Just like we did
3286 with the City Manager, the City Attorney. That's because it is less, less involvement. It's
3287 still gonna come back to us for us to decide which way we wanna go but we could be
3288 here, literally, all night because we have these six individuals that would be providing
3289 input. Typically, we do not do negotiating like this.

3290 **Chairperson Botel:** I know...

3291 **Councilperson Lanier:** Madam Chair...

3292 **Chairperson Botel:** ...but typically we don't...

3293 **Councilperson Lanier:** ...this is [inaudible]...

3294 **Chairperson Botel:** ...have the audit...

3295 **Councilperson Lanier:** ...[inaudible]...

3296 **Chairperson Botel:** Ms., Ms... The Mayor... Wait. Time out. The Mayor would
3297 like to say something and he's been silent all night. We have to give him an opportunity
3298 to weigh in. [Chuckle]. Mayor, Mayor Felder, please.

3299 **Mayor Felder:** [Inaudible] been going on for three and a half hours. Madam Chair
3300 and Board, would ya'll consider letting Staff go into negotiations, coming back to the next

3301 meeting with a price, so we don't have to spend another three hours trying to negotiate
3302 with the firms that's, that's on line right now. Would ya'll consider that?

3303 **Councilperson Lanier:** No. I'm sorry. No. I wanna make the negotiations now.
3304 That's what neo'.., that's what the, that's what the law says, that the, that the Board has
3305 to negotiate it publicly.

3306 **Mayor Felder:** But...

3307 **Councilperson Lanier:** Or, they can make a designee. I choose to say, we're sitting
3308 here now, we're already three hours in, we've taken up all this time with this particular
3309 issue anyway. So now why stop now because you want somebody else to do the
3310 negotiations? I think that...

3311 **Mayor Felder:** [Stammer]...

3312 **Councilperson Lanier:** ...I have a right to be able to sit here and ask the person who's
3313 gonna get this contract, whether or not they can go lower on their cost.

3314 **Mayor Felder:** You have every right, Councilman. [Inaudible].

3315 **Councilperson Lanier:** Okay. I'm, I'm saying ya'll spent, ya'll spent.., ya'll spending
3316 one evening here. I've been doing this for two months. So, all I'm saying is that, give me
3317 the opportunity to negotiate because this is only the first time you guys are hearing this.
3318 I've been doing this for two months.

3319 **Mayor Felder:** I'm asking...

3320 **Chairperson Botel:** And I'm fine...

3321 **Mayor Felder:** ...you, [inaudible] as a Board, and [inaudible], would you consider
3322 letting Staff handle this negotiation?

3323 **Chairperson Botel:** I think, Mayor Felder, the problem is that there's a time
3324 urgency here. We are.., our audit was due and I think that we really have to.., we almost
3325 have to get it done. Unless we.., unless we commit to doing it...

3326 **Councilperson Miller-Anderson:** Can we get an extension?

3327 **Chairperson Botel:** ...and asking Staff to do it... I... Mr. Sherman, can we get an
3328 extension? [Pause]. Mr. Sherman, are you there?

3329 **Finance and Administrative Services Director Sherman:** Yeah. I actually placed a
3330 call to the state last week and.., to inform them that that we would not [chuckle] meet the
3331 deadline. His only words of wisdom to me was, 'Get it done as quickly as you can,'
3332 because he does need to report out to, I think, I believe he said the Governor. He may
3333 have to report to someone else, by September. And [inaudible], that puts you on the list
3334 and then you're subject to, you know, cuts from the state and not getting funding and, you

3335 know, other issues. So, so they're..., the state is aware of it, that it's obviously gonna be
3336 late in reporting. Word was get it done as quickly as we can.

3337 **Chairperson Botel:** Okay.

3338 **Councilperson Miller-Anderson:** Madam Chair, I just wanna ask Mr. Sherman, is
3339 this the first time we've had to get an extension for this?

3340 **Finance and Administrative Services Director Sherman:** It's the first time since I've
3341 worked for the City. I wanna say in 2011, yeah, I think it was the 2011 audit, I believe
3342 they filed it in September.

3343 **Councilperson Miller-Anderson:** Thank you.

3344 **Chairperson Botel:** Okay.

3345 **Councilperson McCoy:** [Inaudible].

3346 **Chairperson Botel:** Who's speaking? Mr. McCoy.

3347 **Councilperson McCoy:** Mr. Sherman, are you referring to the Auditor General? That
3348 [inaudible].

3349 **Finance and Administrative Services Director Sherman:** Yes. Yeah. That's who I
3350 spoke to. That office, yes.

3351 **Councilperson Miller-Anderson:** Madam Chair, I'd like to make a motion.

3352 **Councilperson Lanier:** I wanted to..., let me get my question out. I wanted to ask the...,
3353 ask the firm, would they just do a ten percent across the board for the five years for this
3354 contract? A ten percent reduction across the board.

3355 **Chairperson Botel:** Which would...

3356 **Councilperson Lanier:** I think...

3357 **Chairperson Botel:** ...be what?

3358 **Councilperson Lanier:** ...that's fair

3359 **Chairperson Botel:** Let me think. What was their original? Ninety...

3360 **Councilperson Lanier:** [Inaudible].

3361 **Chairperson Botel:** \$95,980.

3362 **Councilperson McCoy:** [Inaudible], question?

3363 **Chairperson Botel:** Go ahead..

3364 **Councilperson McCoy:** We need to...

3365 **Chairperson Botel:** Nine thousand...

3366 **Councilperson McCoy:** ...clarify that because ten percent across the board, we're
3367 talking about nine thousand dollars over five years, that's....

3368 **Councilperson Lanier:** No. When I say ten percent, that means for each year.

3369 **Councilperson McCoy:** Right.

3370 **Councilperson Lanier:** They're, they're wanted to do seven percent, seven percent
3371 for the first two years. And then, I'm not sure what the next amount..., the amount is but
3372 what they can do is, if they can't match the number by the lowest firm, if they can't match
3373 that number, then we're asking for ten percent, per year, for five years.

3374 **Councilperson McCoy:** Ms. Lanier, do you know how much that is equated to?
3375 Because I think they probably already exceeded that amount.

3376 **Councilperson Lanier:** I would like to make a motion that we request that the firm that
3377 we are entertaining for negotiations give us a savings of ten percent over each of the five
3378 years? Even that amount would not equate to the amount that was the lowest bid. Ten
3379 percent over each amount, for each year, for this firm which in turn is still not the lowest
3380 bid.

3381 **Councilperson McCoy:** Ms. La'...

3382 **Chairperson Botel:** Well, I...

3383 **Chair Pro Tem Lawson:** [Stammer], Ms. Lanier, that's, that's actually..., that's actually
3384 more than they just offered.

3385 **Councilperson McCoy:** That's more than what...

3386 **Chairperson Botel:** I, I was just gonna say, that's..., Shirley, that's not good math.
3387 I don't mean to impugn your math skills but... [Chuckle]. I would..., this is why I count on
3388 Lawson and McCoy, [inaudible] know number.

3389 **Councilperson Lanier:** So, if we do ten'..., if we do ten percent...

3390 **Chair Pro Tem Lawson:** Ten percent is forty-five thousand... Councilwoman Lanier,
3391 ten percent is \$45,490.

3392 **Councilperson Lanier:** So, if we go ninety...

3393 **Chair Pro Tem Lawson:** ...of the...

3394 **Councilperson Lanier:** ...eight ninety...

3395 **Chair Pro Tem Lawson:** ...[inaudible]. Mr. Harvey...

3396 **Councilperson McCoy:** [Inaudible].

3397 **Chair Pro Tem Lawson:** ...has offered \$52,900...

3398 **Councilperson Lanier:** No, no.

3399 **Chair Pro Tem Lawson:** ...in discounts over the...

3400 **Councilperson Lanier:** Hold on, hold on. Let., somebody's trying to talk. What's
3401 going on here.

3402 **Mr. R. Harvey:** We will be willing to accept the ten percent discount off of our first
3403 [inaudible] for five years.

3404 **Chairperson Botel:** No, no, no, no, no.

3405 **Councilperson McCoy:** [Inaudible], Lanier. Yeah. I'm going... I gotta take a break.

3406 **Councilperson Lanier:** Well, I'll tell you what. Just, just, just match the lowest firm.
3407 Just, just match the lowest number by the firm that we, we had at number two. Just match
3408 that lowest cost. I mean, the, the firm did \$55,000, just match that. Then we'll be...

3409 **Chairperson Botel:** There you go.

3410 **Councilperson Lanier:** ...done with it.

3411 **Councilperson Miller-Anderson:** Madam Chair?

3412 **Councilperson McCoy:** Thank you...

3413 **Chairperson Botel:** Yes.

3414 **Councilperson McCoy:** ...for your service on the...

3415 **Chairperson Botel:** Ms. Miller-Anderson.

3416 **Councilperson McCoy:** ...Audit Committee, Councilwoman Lanier.

3417 **Councilperson Miller-Anderson:** Madam Chair?

3418 **Chairperson Botel:** Madam...

3419 **Councilperson McCoy:** [Inaudible].

3420 **Chairperson Botel:** Ms. Miller-Anderson has the floor please.

3421 **Councilperson Miller-Anderson:** So, in the Resolution, what was.., was there a
3422 suggested amount, that we were being recommended to go with or start off with?

3423 **Chairperson Botel:** No.

3424 **Councilperson Lanier:** No.

3425 **Councilperson Miller-Anderson:** There was no amount in there?

3426 **Chairperson Botel:** In the original Resolution?

3427 **Councilperson Miller-Anderson:** With Grau.

3428 **Chairperson Botel:** No, I don't think so. Mr. Evans?

3429 **Chair Pro Tem Lawson:** \$92,000 annually is what Grau presented.

3430 **Chairperson Botel:** Right.

3431 **Councilperson Miller-Anderson:** Right.

3432 **Chair Pro Tem Lawson:** \$92,000 annually.

3433 **Chairperson Botel:** That was, that was not...

3434 **Councilperson Miller-Anderson:** Right.

3435 **Chairperson Botel:** Oh, okay. But that wasn't...

3436 **Councilperson Miller-Anderson:** Yes.

3437 **Chairperson Botel:** ...in the Resolution. It's what the... Grau's price.

3438 **Councilperson Miller-Anderson:** But that's what they had?

3439 **Chairperson Botel:** Yes. Yes. Yeah, right.

3440 **Councilperson Miller-Anderson:** Right, right. And so, now we're making the basis
3441 of the fifty-five.

3442 **Chairperson Botel:** Right.

3443 **Councilperson Miller-Anderson:** And the...

3444 **Councilperson Lanier:** Well, I...

3445 **Councilperson Miller-Anderson:** ...ninety-nine, I'm sorry, ninety-two...

3446 **Councilperson Lanier:** Well, Madam Chair, they're, they're rankings on the
3447 qualifications were lowest so they can just meet the lowest number.

3448 **Councilperson Miller-Anderson:** I don't agree with that.

3449 **Chairperson Botel:** Okay. I, I think that, to be fiscally responsible, it's something
3450 that we should ask them. So, I will ask that of Mr. Harvey. Mr. Harvey, can you match
3451 the price that we give'.., that we've been given by Davis?

3452 **Mr. R. Harvey:** No, ma'am. We will not match \$55,000.

3453 **Chairperson Botel:** Okay. Thank you. Let's see. So, the bottom line from you
3454 right now, we're still.., let's do the math again. I had two thirty-four plus, hang on. I had..,
3455 correct me if I'm wrong, you guys, two thirty-four plus one sixty-eight. Two thirty-four...
3456 Oops. Two thirty-four plus one sixty-eight was... You were at \$402,000, am I right?

3457 **Mr. R. Harvey:** Yes, ma'am. That is consistent with my numbers.

3458 **Chairperson Botel:** Okay. And they were at \$275,000. Let's see. Here we go.,
3459 \$402,000 minus \$275,000. So, we're still \$127,000. We're still \$127,000...

3460 **Mr. R. Harvey:** I, I would ask that, that you divide that by five. That is a five year
3461 difference. I would also ask you to consider talking about shopping the quality of the firm,
3462 the level of experience with municipal governments and the fact that we act as a prime
3463 auditor more than any other firm in this listing. So we know what needs to be done,
3464 particularly for the City. We can get it done. And so, we act as the Neiman Marcus. And
3465 so, price comparison between Neiman Marcus and Walmart, I think is hard. And so, our
3466 price is very consistent with what we've charged the City before.

3467 **Councilperson Lanier:** Oh, okay. Okay.

3468 **Chairperson Botel:** However, we had a Committee that ranked you as third. So,
3469 what I'm saying is, if we don't, if we don't look at the price, if we were to only look at the
3470 Committee's recommendations, we have you as third. So, putting that aside, I think the
3471 only thing we can look at is price, because you were clearly not ranked first. The firm that
3472 was ranked second, is the firm that gave us the price of \$275,000, which is \$127,000,
3473 admittedly, over the course of the contract, \$127,000 difference. I think that that's
3474 something that we would be fiscally irresponsible if we didn't consider.

3475 **Councilperson Lanier:** And, and I agree with that. I agree with the fact that.., I mean,
3476 we have to be clear here. This firm was ranked the lowest. We decided to go with this
3477 firm with the Comm'.., the Council decided to go with this firm, so I think it is in our best
3478 interest, fiscally, to say that we have a low'.., we have.., the second firm that we had was
3479 the lowest bid. So, if we can't even get close to that, then what was the purpose of us
3480 choosing this firm?

3481 **Mr. R. Harvey:** Can I offer one... can I offer...

3482 **Councilperson Lanier:** No. Sir...

3483 **Mr. R. Harvey:** ...one...

3484 **Councilperson Lanier:** No. This is... No. Sir. No. We, we..., this is the Council.
3485 We're trying to..., we're trying to work this out. We are trying to understand how..., that we
3486 have recommendations, from a Committee, that we have some..., the Committee..., the
3487 Council has chosen to go with this firm and we are in the process now of negotiating with
3488 this firm. We have to come to an understanding, among the Council Members, of how
3489 we want to fiscally be responsible in bringing this firm onboard, given that we have a firm
3490 that was ranked higher with less money.

3491 **Councilperson McCoy:** I think...

3492 **Councilperson Lanier:** So we have to justify that.

3493 **Councilperson McCoy:** [Inaudible].

3494 **Councilperson Lanier:** And, and we made it based on qualifications, and not on
3495 money. So I just think that it would do us well as a Council to just come to an agreement
3496 about what do we think is reasonable, given that we have a highest cost, we have a lowest
3497 cost. And somewhere in between of that cost. But, we don't have to, [stammer], it
3498 appears that the, the gentleman is not going to agree to the second highest firm's rate,
3499 but we certainly need to be able to be responsible enough to know that if, if, if it can't be
3500 that, then it has to be somewhere close to that.

3501 **Chairperson Botel:** Thank you. Ms. Miller-Anderson.

3502 **Councilperson Miller-Anderson:** Okay. So, my experiences with RFP's, typically
3503 have, like, a house or inhouse bid where the Council would know, or somebody would
3504 know what the going rate is, for example. Ms. Pemsel, do we have any idea what a going
3505 rate would be? Because, if we had another firm that said they could do it for \$10,000, I
3506 mean, we don't..., we wouldn't just go with them because they said they could do it for
3507 \$10,000 for five years. We have to have some sort of understanding as to..., that's, that's
3508 not it Ms. Botel.

3509 **Chairperson Botel:** Well, but...

3510 **Councilperson Miller-Anderson:** The inhouse...

3511 **Chairperson Botel:** ...[inaudible] was...

3512 **Councilperson Miller-Anderson:** No. No. I'm talking about..., I'm talking about an
3513 amount. If we're now trying to determine what is a going rate, do we have some sort of
3514 inhouse bid, number, that would tell us what is a going rate? So, a reasonable rate. You,
3515 you can't set the bar at..., just because somebody said that they're gonna charge...
3516 Somebody could say they'll do it for free. I mean, are we going to go with them just 'cause
3517 they said can do it for free or are we going to take..., think about other things?

3518 **Chairperson Botel:** [Inaudible]...

3519 [Inaudible comment]

3520 **Chairperson Botel:** ...think about other things because we did think about other
3521 things, we thought about...

3522 **Councilperson Miller-Anderson:** Right.

3523 **Chairperson Botel:** ...the quality.

3524 **Councilperson Miller-Anderson:** Right. And now., by the written, and that's how
3525 I came up with HCT.

3526 **Chairperson Botel:** But the written was not the whole evaluation.

3527 **Councilperson Miller-Anderson:** We've already been done this road.

3528 **Chairperson Botel:** I know. We don't wanna go back there.

3529 **Councilperson Miller-Anderson:** We're not.

3530 **Chairperson Botel:** We don't wanna go back there. But, my point in telling., in
3531 saying that is, we would., we are not looking at any firms other than the three that
3532 submitted a response to the RFP. Of the three that submitted a response to the RFP, the
3533 one that gave., that was ranked number two, they gave us a price of \$275,000, which is
3534 a \$127,000 less, over the course of the contract, than the firm that was ranked number
3535 three. I cannot, in my good conscious, do anything else but recommend that we go with
3536 the firm that gives us the best evaluation by the Committee we chose, and the best price.
3537 To do anything else, would smack [stammer] of, of something... I don't wanna say. I
3538 mean, it, it just isn't., it wouldn't be right for us to do that. [Stammer] I, I can't understand
3539 why this is such a difficult decision. We have the firm that was ranked second, by a
3540 Committee that we chose, giving us the best price by \$127,000 over the course of the
3541 contract, why would we not choose them? I, I just need...

3542 **Councilperson Miller-Anderson:** I think I've already very clear...

3543 **Chairperson Botel:** [Inaudible].

3544 **Councilperson Miller-Anderson:** ...on where... I said what I said.

3545 **Councilperson McCoy:** [Inaudible].

3546 **Chairperson Botel:** Mr. McCoy.

3547 **Councilperson McCoy:** Yeah. So, here's the main reason. Actually, you know what?
3548 Yeah. I think it... Ms. Wynn. I don't even know that you can actually ask that question
3549 at this point. Am I correct, Ms. Wynn? Because...

3550 **City Attorney Wynn:** Because there's a motion.., the motion has passed already and
3551 you all have decided as a body to go with HCT.

3552 **Chairperson Botel:** Right. No, we decided to negotiate. We've decided to
3553 negotiate.

3554 **City Attorney Wynn:** To negotiate.

3555 **Chairperson Botel:** Thank you.

3556 **Councilperson McCoy:** [Inaudible]...

3557 **City Attorney Wynn:** Yes.

3558 **Councilperson Lanier:** The price. So we are.., and so we're negotiating.

3559 **Chairperson Botel:** Right.

3560 **Councilperson McCoy:** But... But, Ms. Wynn, my question is, would it be permissible
3561 to have a conversation about justification of prices?

3562 **City Attorney Wynn:** If that's part of the negotiation, yes.

3563 **Councilperson McCoy:** But we're already beyond the port'.., portion of the reasoning for
3564 selection.

3565 **City Attorney Wynn:** You, you are beyond that. You already selected.

3566 **Councilperson McCoy:** Okay. So...

3567 **City Attorney Wynn:** The only thing left is price. Everything else in the contract is
3568 standard. You have the four years with the one year renewal, nothing.., there's nothing
3569 else other than price.

3570 **Councilperson McCoy:** Here it is. Because we're probably six months behind already,
3571 right? And we...

3572 **Chairperson Botel:** Probably what? I'm sorry. Probably what?

3573 **Councilperson McCoy:** The reason why I would suggest that the justification is okay, is
3574 because we're probably close to six months behind, [audio skipped] and submitted to the
3575 City and I just [inaudible] have a crew come in [inaudible] behind the 8-ball, who's only
3576 suggestion is adding Staff time of additional, I think the marginal amount was about a
3577 hundred hours. And to get us up to date, including the [inaudible] understand this
3578 organization. So, while it looks good on paper from a practical and a audit approach
3579 standpoint, literally, I just don't think that we need to sit here and discuss this when we
3580 have somebody that can get started in a expeditious fashion as opposed to someone that
3581 literally has to come in and first get a understanding of the organization which, if you're
3582 not familiar with, it's gonna take additional time.

3583 **Chairperson Botel:** Mr. Sherman...

3584 **Councilperson Lanier:** Uh...

3585 **Chairperson Botel:** ...could you..., could you opine on that? Is it...

3586 **Councilperson McCoy:** So you're, you're asking him if I'm telling you the truth?

3587 **Chairperson Botel:** No. I'm not asking him if you're telling me the truth. I'm...

3588 **Councilperson McCoy:** [Inaudible].

3589 **Chairperson Botel:** ...asking him as the Financial..., as the Financial Director for the
3590 City of Riviera Beach, I'm asking him his opinion on whether or not a firm can..., a, a new
3591 firm can come in and get up to quickly. That's all I'm asking. Mr. Sherman?

3592 **Finance and Administrative Services Director Sherman:** I think our permanent
3593 records are in excellent shape and can easily be transferred, and I think that because a
3594 lot of the audits are now, you know, computer based, they're gonna take our [inaudible],
3595 they're gonna drop it into their system, I think that, no matter who comes in, I think you're...,
3596 would be able to get an audit out in ninety days. I, I don't think it's going to, to matter.

3597 **Chairperson Botel:** Okay. Thank you.

3598 **Councilperson Lanier:** And, Madam Chair, and, and that was..., and that's, and that's
3599 my point. We are here to negotiate. So people, we, we need to negotiate. We have...,
3600 we, we don't..., there's not..., we're not gonna sit here and say that we're just going to give
3601 this firm the amount that they requested, and they were the l'..., the low'..., the lowest
3602 ranked [stammer] firm. What we're saying is that you have..., the, the Council has decided
3603 that this is the firm they want to go with. We have offers that we've had from firms for...,
3604 three or four other firms, the, the, the prevailing prevalent bid here is, we have a \$90,000
3605 ceiling, or a \$92,000 ceiling, and a \$55,000 from the bottom. And, they're asking for
3606 eighty-four and I think it should be eighty-four, eighty-four, seventy-eight, seventy-eight,
3607 seventy-eight and I think it should be less. I think it should be less based on the fact
3608 that...

3609 **Councilperson McCoy:** They're offering...

3610 **Councilperson Lanier:** No. You, you can't, you can't tell me how to negotiate. All I'm
3611 saying is that, this is what I'm requesting.

3612 **Councilperson McCoy:** Yeah.

3613 **Chairperson Botel:** Mr. McCoy...

3614 **Councilperson Lanier:** No. [Inaudible]...

3615 **Chairperson Botel:** Mr. McCoy.

3616 **Councilperson Lanier:** ...you don't have to agree to it.

3617 **Chairperson Botel:** Hang on.

3618 **Councilperson Lanier:** You don't have to agree.

3619 **Councilperson McCoy:** And, and...

3620 **Chairperson Botel:** Ms. Miller-Anderson has asked to be recognized and I'm
3621 recognizing Ms. Miller-Anderson, Mr. McCoy.

3622 **Councilperson McCoy:** I said...

3623 **Chairperson Botel:** Mr. McCoy, just one minute. Ms. Miller-Anderson has asked to
3624 be recognized. Go ahead.

3625 **Councilperson McCoy:** Well, I., if I can just insert real quick. In fact, Councilwoman
3626 Lanier, you was giving more money than they asked for. So literally, this is multiplication
3627 and addition.

3628 **Chairperson Botel:** Alright.

3629 **Councilperson McCoy:** So, don't sit here and insult me because...

3630 **Councilperson Lanier:** I'm not insulting you. I'm telling you that...

3631 **Councilperson McCoy:** ...[inaudible].

3632 **Councilperson Lanier:** ...I can negotiate if I want to., And you're saying that I can't.

3633 **Chairperson Botel:** Okay. Ms., Ms. Miller...

3634 **Councilperson McCoy:** [Inaudible].

3635 **Chairperson Botel:** Mr. McCoy.

3636 **Councilperson McCoy:** ...[inaudible].

3637 **Chairperson Botel:** Mr. McCoy, Ms. Miller-Anderson asked to be recognized. Ms.
3638 Miller-Anderson, go ahead.

3639 **Councilperson Miller-Anderson:** So, I just have a couple more questions. I, I
3640 think I asked a question but it kinda got lost in all of the other discussion. Ms. Pemsel, is
3641 there an inhouse bid amount...

3642 **Chairperson Botel:** And you did ask, yes you did.

3643 **Councilperson Miller-Anderson:** ...for this? Is she still on?

3644 **Chairperson Botel:** Yes. She is.

3645 **Procurement Director Pemsel:** Mhmm. Yes, I'm still here. No, ma'am, I do not have
3646 any market research or a, a suggested bid amount.

3647 **Councilperson Miller-Anderson:** Okay.

3648 **Procurement Director Pemsel:** So...

3649 **Councilperson Miller-Anderson:** Okay. And then, my second thing would be the
3650 mo'.., I mentioned I wanted to put a motion out there and what I wanted to put a motion
3651 out there for, was to identify either Ms. Wynn or the Mayor, I mean, someone to.., that's
3652 outside of us right now, to do negotiations with the firm. I would prefer Ms. Wynn. And..,
3653 because, like I said, this is where.., I have never been a part of a Board where we
3654 negotiate like this because it is almost impossible to co'.., I mean, you know how, how
3655 much it.., how much energy it took to get Mr. Evans contract done, but a lot of that was
3656 done in the background,. But, it was brought to the Board. But right now, we're starting
3657 from ground zero, right here. And we're all at a crossroad where we are not budging on
3658 which way we wanna go. And so, at least with.., we designate someone to go and do
3659 that, they can come back, we can vote yes or no and, and they can meet with you
3660 individually, Ms. Wynn, can talk with you individually and, and try to identify, you know,
3661 some give and take. I mean, she would know what someone's low number is, what
3662 someone's high number is and she kinda meets somewhere in the middle with it.

3663 But tonight, doing it the way that we're doing it, I've never been.., I've never seen
3664 that before. I'm not saying that it's not the right way, it's not a way that we can, it, it
3665 obviously is something we can do. But are we truly getting anywhere right now? We're
3666 not. And I, I just.., I, I really believe that that would be the best thing to do right now.

3667 **Councilperson Lanier:** [Stammer]...

3668 **Councilperson Miller-Anderson:** And, Mr. Sherman has already put in for the
3669 extension. And I knew he had to because if it was due yesterday, we wouldn't be sitting
3670 here talking about it tonight. So, the extension does cover us for him to.., for us to go
3671 ahead and have that designee do the negotiating, they come back to us, come back to
3672 us individually and, and work it that way so that we're not sitting here for the next five
3673 hours saying the same thing.

3674 That's my motion to...

3675 **Councilperson Lanier:** Ma'...

3676 **Councilperson Miller-Anderson:** ...designate Ms. Wynn to do the...

3677 **Chairperson Botel:** I would like to second it if you would change the designated
3678 negotiator to Mr. Evans as the City Manager. Ms. Miller-Anderson.

3679 **Councilperson Miller-Anderson:** Typically... Typically, from my experience, Mr.
3680 Evans, if you want to weigh in, it's usually the Attorney. I mean, it can be whoever we
3681 want but that's, that's who I said, the Attorney.

3682 **Chairperson Botel:** Alright. I, I... Mr. Evans, do you have a suggestion about...

3683 **City Manager Evans:** I, I think, I think the Attorney is certainly...

3684 **Chairperson Botel:** Okay.

3685 **City Manager Evans:** ...more than capable of doing this. Yes.

3686 **Chairperson Botel:** Oh, okay. So, I secon'... Well, I'll pass the gavel to...

3687 **Chair Pro Tem Lawson:** Ma'...

3688 **Chairperson Botel:** Mr... Do I have to pass it or...

3689 **Chair Pro Tem Lawson:** Well...

3690 **Chairperson Botel:** ...does somebody else wanna second that?

3691 **Chair Pro Tem Lawson:** Can we... We.., I'm, I'm gonna second.., I'm gonna second
3692 Councilwoman Miller-Anderson.

3693 **Chairperson Botel:** Thank you.

3694 **Chair Pro Tem Lawson:** I was, I was gonna ask for Mr. Harvey, so we can just get
3695 this done, with lowest and best offer. But if we wanna go ahead and just go into
3696 negotiations, or have someone else... I, I, I truly wanna just kinda get the lowest and best
3697 offer and just get done with this. 'Cause we spent three hours doing it, and I know,
3698 Councilwoman Miller-Anderson, that we haven't.., we have not done this before but just
3699 with the new Committee, and, and I wanna be clear, as we've stated before, that I'm very
3700 thankful of the Committee's work that they put into this audit.., this RFP and we're
3701 definitely going with the recommendation based upon the written documentation that's
3702 presented before us. And what I would wanna see for the future, when we do another
3703 RFP, is that there's actually a scoring curriculum for the oral, so that we can have
3704 something to stand on. That would just be my recommendation for future RFP's that are
3705 created, so that we don't have this discussion moving forward. 'Cause that's my only
3706 hesitation.

3707 But I would [inaudible] second that motion, but I would ask if we could just get a
3708 lowest and best ar'.., offer from Mr. Harvey and see if the Board would consider going
3709 forward with that.

3710 **Councilperson Miller-Anderson:** Madam Chair?

3711 **Chairperson Botel:** Yes.

3712 **Councilperson Miller-Anderson:** If it.., I would like to know... Well, this is what I
3713 would like. I don't.., if no offense [inaudible] anyone else, is if we can get Ms. Pemsel
3714 [stammer].., I don't know, I keep having such a hard time with your name, to get an
3715 inhouse bid, some market research on, on, on the amount so that we have something to
3716 go by. I think that's only fair. And, and if you don't wanna use it, that's fine but I do.., I, I
3717 do think that's needed. Because I don't think we're all experts to know what, what is the
3718 going rate. And if you want that to factor into your decisions, fine. If you don't, that's fine
3719 too, but I would like to see that. So Ms. Pemsel, if you could get some market research
3720 and get a inhouse bid on this type of service.

3721 **Councilperson Lanier:** Madam Chair?

3722 **Chairperson Botel:** Yes. Ms. Lanier.

3723 **Councilperson Lanier:** I, I, I don't think that really makes a difference at this point. You
3724 have...

3725 **Councilperson Miller-Anderson:** But, I ask for me.

3726 **Councilperson Lanier:** ...four people...

3727 **Councilperson Miller-Anderson:** I ask for me.

3728 **Councilperson Lanier:** We have four, we have four bids that have been submitted and
3729 based on the information that was given to the Committee in terms of previous costs for
3730 audits, in terms of.., when I say previous costs...

3731 **Councilperson Miller-Anderson:** That's my, that's my request though.

3732 **Councilperson Lanier:** Let, let me...

3733 **Councilperson Miller-Anderson:** That's my request.

3734 **Councilperson Lanier:** ...finish. Previous requests for audits that we are looking at a
3735 situation where the Council has totally disregarded the Committee, which means that in
3736 the, in the spirit of transparency, it should be negotiated publicly.

3737 **Councilperson Miller-Anderson:** Can we call...

3738 **Councilperson Lanier:** ...[inaudible]...

3739 **Councilperson Miller-Anderson:** ...the question?

3740 **Councilperson Lanier:** Be'...

3741 **Councilperson Miller-Anderson:** Madam Chair?

3742 **Councilperson Lanier:** Because we have been in this situation where the Committee
3743 has totally been disregarded. So, my position is that the...

3744 **Chairperson Botel:** Yeah.

3745 **Councilperson Lanier:** ...the firm that you..., that the Council chosen can at least beat
3746 the cost of the second highest bidder.

3747 **Chairperson Botel:** Okay. Well, we have been...

3748 **Councilperson Lanier:** Thank you.

3749 **Chairperson Botel:** ...asked to call the question. We need a second. We need a
3750 second and then we need to vote on calling the question. Do we have a second to the
3751 request to call the question?

3752 **Chair Pro Tem Lawson:** Are we seconding Councilwoman Miller-Anderson? Is
3753 that...

3754 **Chairperson Botel:** We're...

3755 **Chair Pro Tem Lawson:** ...what we're asking...

3756 **Chairperson Botel:** ...we're seconding Councilwoman...

3757 **Councilperson Miller-Anderson:** I called...

3758 **Chairperson Botel:** ...Miller-Anderson's request to call the question.

3759 **Councilperson Miller-Anderson:** On the, on the motion...

3760 **Councilperson Lanier:** I think we...

3761 **Councilperson Miller-Anderson:** ...that I made.

3762 **Councilperson Lanier:** We have to vote on..., and we have to vote on calling the
3763 question.

3764 **Chairperson Botel:** That's...

3765 **Councilperson Miller-Anderson:** That's what we're doing.

3766 **Chairperson Botel:** We do. Now, do you wanna restate your motion first and then
3767 we'll ca'..., we'll vote on calling the question, and then we'll vote on the motion.

3768 **Councilperson Miller-Anderson:** Ms. Wynn...

3769 **Chairperson Botel:** [Inaudible] motion.

3770 **Councilperson Miller-Anderson:** ...why are you shaking your head?

3771 **Chairperson Botel:** Somebody second...

3772 **City Attorney Wynn:** You just vote. If you get a second to calling the question, you
3773 vote on that and then you go back to the original motion.

3774 **Chairperson Botel:** Okay. Did, did the original motion have a second?

3775 **Chair Pro Tem Lawson:** Yes.

3776 **Councilperson Miller-Anderson:** Yes. Mr. Lawson.

3777 **Chair Pro Tem Lawson:** I seconded that.

3778 **Chairperson Botel:** Okay. So, we're voting on calling the question.

3779 **Councilperson McCoy:** What are we calling the question on? I, I...just have a...

3780 **Chairperson Botel:** That's, that's why I asked.., it's the only reason I asked. I didn't
3781 remember.

3782 **City Attorney Wynn:** Sorry.

3783 **Chairperson Botel:** [Chuckle]. So, we're voting on...

3784 **Councilperson Miller-Anderson:** Ms... Ms...

3785 **Chairperson Botel:** Go ahead.

3786 **Councilperson Miller-Anderson:** Can Ms. Anthony restate the motion? She does
3787 have to take notes of what we're saying, the motions are. So if Ms. Anthony can restate..

3788 **City Clerk Anthony:** Currently the motion is to call the question on the motion that
3789 was made by Councilperson Miller-Anderson, and seconded by Pro Tem Lawson, to
3790 appoint Ms. Wynn as the point person to negotiate with HTC...

3791 **Chairperson Botel:** C-T.

3792 **Councilperson Miller-Anderson:** Yes. H...

3793 **Chairperson Botel:** Yeah.

3794 **Councilperson Miller-Anderson:** ...HCT.

3795 **City Clerk Anthony:** HCT. Okay. We've been messing that name up all night.
3796 [Chuckle].

3797 **Councilperson Miller-Anderson:** Yeah. I know.

3798 **City Clerk Anthony:** So, the motion that we're pre'.., preparing to vote on is to call
3799 the question to move forward with the vote on appointing.., designating Ms. Wynn as the
3800 point person for the City to des', [inaudible] HCT.

3801 **Chairperson Botel:** Call the roll. Thank you.

3802 **Councilperson McCoy:** Okay. I, I know you wanna call the roll but you know I have a
3803 question.

3804 **Chairperson Botel:** You can't ask a question because we're, we're voting on calling
3805 the question.

3806 **City Attorney Wynn:** And we need a second. You need a second first.

3807 **City Clerk Anthony:** Council'.., Councilperson Miller-Anderson...

3808 **Chairperson Botel:** [Inaudible]...

3809 **City Clerk Anthony:** ...made the motion to call the question. Councilperson Lawson
3810 seconded to call the question.

3811 **Chairperson Botel:** And now we have to vote on that. Ms...

3812 **Councilperson McCoy:** [Inaudible].

3813 **Chairperson Botel:** Madam Clerk.

3814 **City Clerk Anthony:** That is correct.

3815 **Chairperson Botel:** Madam Clerk, that's correct. Madam Clerk.

3816 **City Clerk Anthony:** Councilperson McCoy?

3817 [Pause]

3818 **Chairperson Botel:** Councilperson McCoy, we you...

3819 **Councilperson McCoy:** [Inaudible]...

3820 **Chairperson Botel:** ...vote, please.

3821 **Councilperson McCoy:** ...ask a question. You don't wanna [inaudible]...

3822 **City Attorney Wynn:** Councilperson McCoy, there's no debate on.., there's no debate
3823 on the motion to call the question.

3824 **Councilperson McCoy:** Well, fine. Do what you gotta do then, but I literally asked you
3825 a, a question for clarification. If you don't think it's important that I get clarification, I won't
3826 answer.

3827 **Chairperson Botel:** Madam Clerk.

3828 **City Clerk Anthony:** Councilperson Miller-Anderson?

3829 **Councilperson Miller-Anderson:** Yes.

3830 **City Clerk Anthony:** Councilperson Lanier?

3831 **Councilperson Lanier:** No.

3832 **City Clerk Anthony:** Pro Tem Lawson?

3833 [Pause]

3834 **Chairperson Botel:** He said yes. I can...

3835 **City Clerk Anthony:** You're muted, Mr. Lawson.

3836 **Chairperson Botel:** As a...

3837 **Chair Pro Tem Lawson:** Yes.

3838 **Chairperson Botel:** As a thirty year long teacher...

3839 **City Clerk Anthony:** Chair...

3840 **Chairperson Botel:** ...[inaudible]I can...

3841 **City Clerk Anthony:** Chair Botel?

3842 **Chairperson Botel:** Yes.

3843 **City Clerk Anthony:** That motion is approved with Councilperson Lanier dissenting
3844 and Councilperson McCoy not voting either way.

3845 **Chairperson Botel:** That was to call the question. So now we've called...

3846 **City Clerk Anthony:** That is correct.

3847 **Chairperson Botel:** ...[stammer]. Now we will take the vote on the original motion.

3848 **City Clerk Anthony:** The motion...

3849 **Councilperson Lanier:** Madam...

3850 **City Clerk Anthony:** ...that you're about to vote on is the motion made by
3851 Councilperson Miller-Anderson.

3852 **Councilperson McCoy:** Let, let, let me ask you something. I have no clue what the
3853 original motion is. I, I told you, Members, I had a delivery at my door. Extend the courtesy
3854 of reciting what we have in front of us. We're, we're taking a meeting from home.
3855 Literally...

3856 **Unk.:** We...

3857 **Councilperson McCoy:** ...I've been at this all day long. So if I ask you to please clarify
3858 something, don't take it in disrespect. I think you owe me that much. We're working on
3859 a technical platform, that nobody's familiar with. And I really am a little disappointed that
3860 why we take things so personally. I mean, anything [inaudible]...

3861 **Councilperson Miller-Anderson:** McCoy, she...

3862 **Councilperson McCoy:** ...don't agree, we settle the Item. But don't make me seem as
3863 if I'm some sort of outsider here. And now you're putting it on the record because statutes
3864 require that you actually vote on every Item that you're there for. And if the Members of
3865 this Board don't even think it's important to tell me, their colleague, what I'm voting for...,
3866 to, in fact, this is a part of Florida statute that you vote on every Item that you're present
3867 for. Is that too much to ask? And that, that's, that's a shame on the Chairperson and any
3868 other person that refused to even answer a procedural question.

3869 **Chairperson Botel:** Ms. Miller-Anderson.

3870 **Councilperson Miller-Anderson:** Madam Chair?

3871 **Chairperson Botel:** And then I'm gonna ask Ms. Wynn for clarification. Ms. Miller-
3872 Anderson.

3873 **Councilperson Miller-Anderson:** Well, Mr. McCoy, the, the motion Ms. Anthony
3874 restated was to designate Ms. Wynn... My motion was to designate Ms. Wynn as the
3875 person to go and negotiate with Mr. Harvey. That's what the motion is. And...

3876 **Chairperson Botel:** And you were here when it was read into [inaudible].

3877 **Councilperson Miller-Anderson:** And you were here when she said that part.
3878 That's all., that's what the motion was.

3879 **Councilperson McCoy:** Okay. I don't know what had been discussed. So, I wanna
3880 literally ask can you please share with me those details? Because, you know, a lot can
3881 transpire between a matter of forty-five seconds to a minute and a half.

3882 **Councilperson Miller-Anderson:** Okay. So, I think the part that you may have
3883 missed, was when Ms., Ms. Lanier started talking after we had made the motion to
3884 designate Ms. Wynn. And then, from there, Ms. Lanier...

3885 **Councilperson McCoy:** Well...

3886 **Councilperson Miller-Anderson:** I a'.., I actually asked for some documentation.
3887 And so, Ms. Lanier then, you know, she gave her explanation of why she didn't think it
3888 should be provided, or whatever the case may be, and then that's when I said, 'Call the
3889 question.' Then, we got to the point where we were voting on whether or not we were
3890 gonna call the question.

3891 So, you didn't miss.., the only thing you missed was Ms. Lanier was kinda talking
3892 about not needing the information. Then we kinda went over the same thing we've been
3893 over a few times.

3894 **Councilperson McCoy:** Here's the other reason...

3895 **Councilperson Miller-Anderson:** So, not a new motion came on.

3896 **Councilperson McCoy:** Members, you know, I just had a, a citizen that sent me a
3897 message that says, 'Please answer. You can't abstain. Tradrick, there is a time lapse.
3898 That's part of the problem.' So, you know, come on, Members.

3899 **Councilperson Miller-Anderson:** I, I, I disagree with that. You were here...

3900 **Chairperson Botel:** I, I disagree...

3901 **Councilperson Miller-Anderson:** ...here... You were here...

3902 **Chairperson Botel:** You were here Tradrick...

3903 **Councilperson Miller-Anderson:** ...though.

3904 **Chairperson Botel:** ..when Mr...

3905 **Councilperson McCoy:** But if I ask you for clarification, there's some point that I didn't
3906 get everything. But if...

3907 **Chairperson Botel:** Okay. But, you were here...

3908 **Councilperson McCoy:** ...you wanna vote on...

3909 **Chairperson Botel:** Ms. Wynn. Ms. Wynn, ..

3910 **Councilperson McCoy:** [Inaudible] to the question then...

3911 **Chairperson Botel:** ...can...

3912 **Councilperson McCoy:** I have an affirmative defense, and I will assert it when that time
3913 comes if a complaint is ever raised that I, I, I knowingly abstained from a vote. That's not
3914 fair, Members.

3915 **Councilperson Lanier:** No. Mr. McCoy, you abstained from the vote, which means that,
3916 that, that renders that, that motion invalid. If you abstained from that vote, then that, that
3917 means that is.., that motion is invalid now.

3918 **Councilperson McCoy:** You see how easy it would've been to explain it though?
3919 [Inaudible]...

3920 **Chairperson Botel:** Because you were..., you were he'... Mr. McCoy, you were here
3921 when it was explained. And Ms. Wynn can...

3922 **Councilperson McCoy:** Let me tell you something. Even if I was here, if I ask you for
3923 clarification, you don't think I'm afforded that much?

3924 **Chairperson Botel:** No. Be'..., you know why? Because we run these meetings by
3925 Robert's Rules of Order and when the motion to call the question is made, the next step
3926 has to be that it is seconded. When it is seconded, the next step is to obtain a super
3927 majority of the people who are voting. We obtained...

3928 **Councilperson McCoy:** Super majority?

3929 **Chairperson Botel:** A super majority, yes. 4-1.

3930 **Councilperson McCoy:** A super majority?

3931 **Chairperson Botel:** Yes. Ms. Wynn, do you wanna explain that, please?

3932 **City Attorney Wynn:** It's, it's...

3933 **Chairperson Botel:** And then...

3934 **City Attorney Wynn:** ...a two-thirds vote but other than that, yes, Dr. Botel, you're
3935 correct, but it's a two-thirds vote.

3936 **Chairperson Botel:** Thank you. Ms. Miller-Anderson.

3937 **Councilperson Miller-Anderson:** Are we able to go back so that Mr. McCoy can
3938 provide a vote for the calling of the question? Is that acceptable?

3939 **Chairperson Botel:** Ms. Wynn?

3940 **City Attorney Wynn:** If that's the pleasure of the body, you can.

3941 **Chairperson Botel:** Go ahead. Call, call..., do it over again...

3942 **Councilperson Miller-Anderson:** Mr. McCoy...

3943 **Chairperson Botel:** ...So Mr. McCoy doesn't feel left out. [Pause]. Ms., Madam
3944 Clerk, would you just do it again so, so that we can put it to rest? Please.

3945 **Councilperson Miller-Anderson:** And this is just to..., whether or not to call the
3946 question, correct?

3947 **Chairperson Botel:** Yes. Right. Correct. I think that's what Mr. McCoy missed. Is
3948 that right, Mr. McCoy?

3949 **Councilperson McCoy:** Well, I... Madam Chair, I don't even recall. That's why I was
3950 asking. I literally had a whole lot going on when I literally left the computer.

3951 **Chairperson Botel:** Okay.

3952 **Councilperson McCoy:** But, you know.

3953 **Chairperson Botel:** Well, we'll, we'll take the vote again and this is the vote that we
3954 made to call the question. So, Madam Clerk, would you do that again, please?

3955 **City Clerk Anthony:** Councilperson McCoy?

3956 **Councilperson McCoy:** Yes.

3957 **City Clerk Anthony:** Councilperson Miller-Anderson?

3958 **Councilperson Miller-Anderson:** Yes.

3959 **City Clerk Anthony:** Councilperson Lanier?

3960 **Councilperson Lanier:** No.

3961 **City Clerk Anthony:** Pro Tem Lawson?

3962 **Chair Pro Tem Lawson:** Yes.

3963 **City Clerk Anthony:** Chair Botel?

3964 **Chairperson Botel:** Yes.

3965 **City Clerk Anthony:** That motion is approved with Councilperson Lanier dissenting.

3966 **Chairperson Botel:** Thank you. Now...

3967 **Councilperson Lanier:** Before we...

3968 **Chairperson Botel:** ...if I, if I...

3969 **Councilperson Lanier:** ...take this vote, Madam Chair, I just wanted to say one thing.
3970 The vote that is coming up, that Councilwoman Miller-Anderson made to move forward
3971 with the negotiation outside of this Council to City Administration, I want to preface it with
3972 I'm going to vote no. I want to be above reproach in this, I want to be able to know that
3973 the process that we did was transparent and to take this, as I said before, you took this
3974 out of the hands of the Committee, made your own decision, which is..., which you can
3975 do. But to, to now give this to another party to, to negotiate... I'm going to vote no on
3976 this because I think that it needs to be transparent about what we're doing in this whole
3977 process. And that's what's been happening from the beginning. We've been transparent.
3978 All of the meetings have been advertised, all the meetings have been recorded and made
3979 available to the public but to go now, at the end of this, and disregard the Committee's

3980 decision and, and then go ahead and send this out to somebody else to negotiate,
3981 [stammer]..., I don't think that it's transparent and it is not beyond reproach. And I'm say'...,
3982 and I say that and I'm done and you, you can go ahead on...

3983 **Chairperson Botel:** Okay. Let's...

3984 **Councilperson Lanier:** ...and, and...

3985 **Chairperson Botel:** Let, let's get this over with.

3986 **Councilperson Lanier:** ...call the question to do your vote.

3987 **Chairperson Botel:** Thank..., thank you.

3988 **Councilperson Lanier:** Yes.

3989 **Chairperson Botel:** Madam Clerk.

3990 **City Clerk Anthony:** Councilperson McCoy?

3991 **Councilperson McCoy:** No.

3992 **City Clerk Anthony:** Councilperson Miller-Anderson?

3993 **Councilperson Miller-Anderson:** Yes.

3994 **City Clerk Anthony:** Councilperson Lanier?

3995 **Councilperson Lanier:** No.

3996 **City Clerk Anthony:** Pro Tem Lawson?

3997 **Chair Pro Tem Lawson:** Yes.

3998 **City Clerk Anthony:** Chair Botel?

3999 **Chairperson Botel:** [Pause]. What time is it? [Pause]. No.

4000 **City Clerk Anthony:** That motion failed with...

4001 **Chairperson Botel:** Okay.

4002 **City Clerk Anthony:** ...Councilpersons McCoy, Lanier and Botel dissenting.

4003 **Chairperson Botel:** I, I, I really just wanted to go on record agreeing with
4004 Councilwoman Lanier, that we established a Committee, we established a process. As I
4005 understand it, we were to negotiate with, in public, because that's the way it was explained
4006 at the beginning by our Attorney and I think that, even though it's 9:55 in the evening and
4007 we beat this thing to death, we, we oughta try to get the best possible price for the City.

4008 And, and in my mind, the best possible price is not some number that we could get from
4009 Ms. Pemsel but a number that.., a real number that we've gotten from a real firm. And
4010 so, in my mind, the best possible price would be two seventy-five.

4011 So, I'm gonna ask Mr. Harvey again, can you match the price that we've been
4012 given by the other firm, by Davis? Mr., Mr. Harvey? [Pause]. We can't hear you, Mr.
4013 Harvey.

4014 **Councilperson Lanier:** And it's a yes or no question.

4015 **Mr. R. Harvey:** Good day everybody? Yes, we will not meet \$55,000. We will not
4016 match that price.

4017 **Chairperson Botel:** Okay. Thank you. So.., what's the procedure then, Ms. Wynn,
4018 if we have not gotten Mr. Harvey to agree...

4019 **Councilperson McCoy:** [Stammer]...

4020 **Chairperson Botel:** Do we... I'm asking...

4021 **Councilperson McCoy:** ...[inaudible] as a body.

4022 **Chairperson Botel:** I'm asking a question. Ms. Wynn, is the procedure that we go
4023 to the next firm?

4024 **Councilperson McCoy:** No. It is not.

4025 **Chairperson Botel:** Or is the procedure that we miss... I'm not asking you, Mr.
4026 McCoy.

4027 **Councilperson McCoy:** We vote on that.

4028 **Chairperson Botel:** Ms. Wynn?

4029 **Councilperson McCoy:** [Inaudible] because, clearly... Madam Chair. If we're gonna...

4030 **Chairperson Botel:** Ms. Wynn.

4031 **Councilperson McCoy:** ...try to sit here and negotiate as a body, let's negotiate as a
4032 body. Don't allow one person to throw out a number and allow me... I gave you my
4033 justification. If you want a number, you put it on the floor and call a motion. If not, we
4034 move on to the next Member.

4035 **Chairperson Botel:** Ms. Wynn.

4036 **Councilperson McCoy:** But don't, don't sit here and try to disregard...

4037 **Chairperson Botel:** I'm not disregarding anyone, Mr. McCoy. I'm asking our
4038 Attorney a question. Can I get an answer from our Attorney?

4039 **Councilperson McCoy:** But we're not at a stalemate.

4040 **Chairperson Botel:** We're not any'..., we're not anywhere after how many hours. I'm
4041 asking a question. Ms. Wynn?

4042 **City Attorney Wynn:** You have to formally terminate negotiations with the firm, HTC...,
4043 HCT before you can move to the next firm.

4044 **Chairperson Botel:** Okay.

4045 **City Attorney Wynn:** But you have to vote to terminate, as a body, before you can
4046 move to the next. Someone else may want to negotiate a different number or ask Mr.
4047 Harvey about a different number.

4048 **Chairperson Botel:** Okay.

4049 **City Attorney Wynn:** Until you all believe, or vote, that negotiations with Mr. Harvey
4050 are futile, then you move on to the next.

4051 **Chairperson Botel:** Okay. Ms. Lanier, did you wanna make a motion to terminate
4052 negotiations?

4053 **Councilperson Lanier:** Well, I, I think that [stammer] where we are now is that we're still
4054 negotiating. And let me say this, when we..., I think this was brought up twice tonight, that
4055 when we went through Mr. Evans' contract, we were there 'til 12:30 that night. So, don't
4056 let it be said that we cannot take the time that we need to be able to take care of the
4057 business that we need to take care of.

4058 **Councilperson McCoy:** Madam Chair, move to extend indefinitely.

4059 **Chair Pro Tem Lawson:** Second.

4060 **Councilperson Lanier:** Second.

4061 **Chairperson Botel:** Okay. Madam Clerk.

4062 **City Clerk Anthony:** Councilperson McCoy?

4063 **Councilperson McCoy:** Yes.

4064 **City Clerk Anthony:** Councilperson Miller-Anderson? [Pause]. Councilperson
4065 Lanier?

4066 **Councilperson Lanier:** Yes.

4067 **City Clerk Anthony:** Councilperson Miller-Anderson?

4068 **Councilperson Miller-Anderson:** Yes.

4069 **City Clerk Anthony:** Pro Tem Lawson?

4070 **Chair Pro Tem Lawson:** Yes.

4071 **City Clerk Anthony:** Chair Botel?

4072 **Chairperson Botel:** Yes.

4073 **City Clerk Anthony:** Unanimous vote.

4074 **Chair Pro Tem Lawson:** Madam Chair?

4075 **Chairperson Botel:** Yes.

4076 **City Clerk Anthony:** Madam Chair, the Attorney...

4077 **Chair Pro Tem Lawson:** Madam Chair?

4078 **City Clerk Anthony:** ...would like to be recognized too.

4079 **Chairperson Botel:** I'm sorry. Ms. Wynn, I'm sorry. Mr. Lawson, could I ask Ms.
4080 Wynn to reply first and then I'll...

4081 **Chair Pro Tem Lawson:** Thank you.

4082 **Chairperson Botel:** ...call on you?

4083 **Chair Pro Tem Lawson:** Yes, Madam Chair.

4084 **City Attorney Wynn:** I need a five minute break, if possible, please.

4085 **Chairperson Botel:** [Chuckle]. Okay. We'll, we'll...

4086 **City Attorney Wynn:** Thank you.

4087 **Councilperson Lanier:** Yeah. We all do.

4088 **City Attorney Wynn:** I, I don't, I don't wanna miss the motion, if a motion is made...

4089 **Chairperson Botel:** Yeah. Sure.

4090 **City Attorney Wynn:** ...and you all need assistance but I need a break.

4091 **Chairperson Botel:** I'm sure at this point we could all use a break. So, it is 9:59.
4092 Let's come back at 10:05. Is that enough time?

4093 **City Attorney Wynn:** Yes. Thank you.

4094 **Unk.:** Yes.

4095 **Councilperson McCoy:** Hey, Mr. Edelman, this is Tradrick McCoy, can you please mute
4096 all Members of the...

4097 [Audio muted for five minutes – City of Riviera Beach Seal]

4098 **Chairperson Botel:** Alright. Do we have a quorum. We do. [Pause]. Walter?
4099 [Pause]. I'm gonna guess that Wal'... Oh good. Okay. We're back in session. Where
4100 were we? [Chuckle]. I, I think... Who had the floor last? Ms. Lanier?

4101 **City Attorney Wynn:** Madam Chair?

4102 **Chairperson Botel:** Who's speaking? Oh, Ms. Wynn.

4103 **City Attorney Wynn:** I don't think that... I'm being told that we're not back live yet.

4104 **Chairperson Botel:** I...

4105 **Councilperson McCoy:** We're on live.

4106 **City Attorney Wynn:** You see it?

4107 **Chairperson Botel:** Yeah. I see.

4108 **City Attorney Wynn:** There, there is a delay that people have been complaining
4109 about.

4110 **Chairperson Botel:** Yes, yes, yes.

4111 **City Attorney Wynn:** Okay.

4112 **Chairperson Botel:** Okay. Is Mr. Harvey still with us? Yes. Good. Okay.

4113 **Chair Pro Tem Lawson:** Can'...

4114 **Chairperson Botel:** Yes, Mr. Lawson.

4115 **Chair Pro Tem Lawson:** Madam Chair? If we could just ask Mr. Harvey for him to
4116 give us his lowest and best offer.

4117 **Chairperson Botel:** Well, before we do that...

4118 **Chair Pro Tem Lawson:** Yes, ma'am.

4119 **Chairperson Botel:** ...as I stated earlier... And I, I'm gonna get there, Mr. Lawson
4120 and thank you. I think we were at a difference of \$127,000. I'm willing to say, if Mr.
4121 Harvey would split the difference, which would be 63.5, and take it down from the
4122 \$402,000 that he's at now, take that, take that split difference of \$63,500, and make it
4123 \$338,500, I would, I would.., I would even go so far as to say that we could give him the

4124 fifth year, which is negotiable, as it stands now. The contract is four years and we could
4125 give him the fifth year, if he will come down to the \$338,500.

4126 **Chair Pro Tem Lawson:** My follow up, Madam Chair, before Mr. Harvey comes in is
4127 that, number one, we, we don't know what the market rate is on the, the hourly basis for
4128 this service. Ms. Pemsel doesn't.., hasn't given us a, a sample number and we're basing
4129 it upon three bids that we received. We don't know if that's an accurate number and the
4130 hours that are being charged. I wouldn't want Mr. Harvey to be competing against the,
4131 the offer from Mr. Davis being that he's.., was ranked number one in points from our
4132 Committee, number one.

4133 **Chairperson Botel:** He's ranked number three in points. He was ranked number
4134 three by the Committee.

4135 **Chair Pro Tem Lawson:** In.., the points I'm looking at right now, the points that he
4136 had was four hundred and twenty-three points...

4137 **Chairperson Botel:** No, no. That was on...

4138 **Chair Pro Tem Lawson:** ...by the RFP.

4139 **Chairperson Botel:** ...the written. That was on the written portion, which was only
4140 [inaudible]...

4141 **Chair Pro Tem Lawson:** Yeah. That's, that's what I'm talking...

4142 **Chairperson Botel:** Okay. That's just [inaudible]...

4143 **Chair Pro Tem Lawson:** That's the only, that's the only cri'... Oh, absolutely. And
4144 that's the criteria.., that's the only criteria I have to go off of, I have the four..,

4145 **Chairperson Botel:** Well, I have...

4146 **Chair Pro Tem Lawson:** ...the four hundred and twenty-three points.

4147 **Chairperson Botel:** ...[inaudible]. Okay. I have...

4148 **Chair Pro Tem Lawson:** And then, I ha'...

4149 **Chairperson Botel:** ...to go...

4150 **Chair Pro Tem Lawson:** I'm, I'm sorry, Madam Chair. If I could finish...

4151 **Chairperson Botel:** Go ahead.

4152 **Chair Pro Tem Lawson:** ...my point, and then you can jump...

4153 **Chairperson Botel:** Go ahead.

4154 **Chair Pro Tem Lawson:** ...in when I'm finished.

4155 **Chairperson Botel:** Go ahead.

4156 **Chair Pro Tem Lawson:** Thank you, Madam Chair. So, based upon the written
4157 points that I have received, I'm looking at it, he came at number one with the written
4158 points. I see that orally, or overall, I'm not even really sure what this criteria stands for,
4159 the one, two, three, I see that certain individuals show some one and three, and then that
4160 equated to a, a metrics that ranked him as number three but I, I don't know what that was
4161 based upon. So, based upon his experience with the firm, with the, the City, based upon
4162 the point structure of the written and based upon asking for a price, I'm just gonna ask
4163 Mr. Harvey to give us his lowest and best offer so we can move forward, since we, as a
4164 Council, have already voted to move forward with him and to have a bid from him.

4165 So, if he can give us the lowest best price and then we can determine if we're
4166 gonna move forward. And if not, then we can go on to the next, the next person.

4167 **Chairperson Botel:** Okay. And I would say that the..., my recommendation would be
4168 that he give us a price of \$338,500, which would be splitting the difference between the
4169 second ranked firm and the third ranked firm, which is Mr. Harvey. So, Mr. Harvey, are
4170 you able to go down to \$338,500?

4171 **Councilperson Miller-Anderson:** Do we... Madam Chair?

4172 **Chairperson Botel:** Yes.

4173 **Councilperson Miller-Anderson:** Do we need to vote on each of your
4174 suggestions? I mean... Ms. Wynn?

4175 **Councilperson McCoy:** I think that's...

4176 **Councilperson Miller-Anderson:** [Inaudible]. Mr...

4177 **Councilperson McCoy:** ...appropriate. I don't agree with your just throwing our
4178 randomly. I., we have to agree as a Board before we cross the table.

4179 **Chairperson Botel:** Okay.

4180 **Councilperson Miller-Anderson:** Yeah.

4181 **Chairperson Botel:** Alright.

4182 **Councilperson Lanier:** But...

4183 **Councilperson Miller-Anderson:** So...

4184 **Chairperson Botel:** So let's take, let's take Mr. Lawson's recommendation first then.

4185 **Councilperson Miller-Anderson:** That's... I'll second that.

4186 **Chairperson Botel:** Okay. So let's vote on Mr. Lawson's recommendation...

4187 **Councilperson Lanier:** Okay. We're having a discussion, right? Don't we have a...

4188 **Chairperson Botel:** Yes.

4189 **Councilperson Lanier:** ...a discussion after a person second?

4190 **Chairperson Botel:** You're right. I'm sorry.

4191 **Councilperson Lanier:** Alright. I, I just wanted to say that if Mr. Lawson is basing it only
4192 on the written part, then we are opening ourselves up for an IG review because if the'...', if
4193 it's only dealing with the written part first where the Committee expressly stated that it
4194 was not just the written part that they made their decision on.

4195 **Councilperson McCoy:** Okay.

4196 **Chairperson Botel:** Right.

4197 **Councilperson Lanier:** So that means that there may be room for people to protest this,
4198 given the fact that we cannot base our decision just on the written part alone, when there
4199 was an oral competition involved.

4200 **Councilperson Miller-Anderson:** Madam Chair?

4201 **Chairperson Botel:** Yes. Go ahead.

4202 **Councilperson Miller-Anderson:** But we..., I think when we accepted, when we
4203 decided to..., when the motion... Remember, we cleaned up that motion for..., in order to
4204 go with HCT, into negotiation, it was not based on written or oral. I mean, it was...

4205 **Chairperson Botel:** That's right.

4206 **Councilperson Miller-Anderson:** We didn't say that, okay?

4207 **Chairperson Botel:** Right. That's right.

4208 **Councilperson Miller-Anderson:** So, Mr. Lawson I think...

4209 **Councilperson Lanier:** Mr. Lawson is saying, for him.

4210 **Councilperson Miller-Anderson:** ...is just saying for him, for him, that's why he's
4211 saying that. That's not what the Board [stammer] that approved the negot'..., to go into
4212 negotiations based upon. That was..., that's what he was basing it on.

4213 **Chairperson Botel:** That's correct.

4214 **Councilperson Miller-Anderson:** So, so right now, we're just voting on..., I mean,
4215 right now, the motion is just about taking the lowest best offer. And he, he came up in his

4216 mind with whatever amount, based on what he said, and just like Dr. Botel came up with
4217 a number from [inaudible]...

4218 **Chairperson Botel:** So, so we're gonna vote on Mr. Lawson's request. Do you
4219 wanna restate that, Mr. Lawson? Please.

4220 **Councilperson Miller-Anderson:** Does Ms. Anthony have it?

4221 **Chair Pro Tem Lawson:** Yes. I'd like to move forward with requesting from HTC...

4222 **Chairperson Botel:** HCT.

4223 **Chair Pro Tem Lawson:** ...to provide his lowest and... HCT, to provide his...

4224 **Chairperson Botel:** Right.

4225 **Chair Pro Tem Lawson:** ...lowest and best offer to the Board.

4226 **Chairperson Botel:** Okay.

4227 **Councilperson Lanier:** Tonight? Next meeting?

4228 **Chair Pro Tem Lawson:** Right now.

4229 **Chairperson Botel:** Tonight. Now. We gotta get this done.

4230 **Chair Pro Tem Lawson:** I'd like for Mr. Harvey to provide his lowest and best offer to
4231 the Board and we make a decision if we're going to move forward or move on to the next
4232 firm.

4233 **Chairperson Botel:** Okay.

4234 **City Clerk Anthony:** And that motion was seconded by Councilperson Miller-
4235 Anderson.

4236 **Chairperson Botel:** Yes. Discussion? Mr., Ms. Lanier had a comment but I think
4237 she made it. Anybody else have a comment? [Pause]. So, I think I have just a question.
4238 If we get this lowest and best price and it doesn't..., well, and then are we going to vote to
4239 see if we accept that price? Even though...

4240 **Councilperson Lanier:** Yes.

4241 **Chairperson Botel:** ...it might be... Okay.

4242 **Chair Pro Tem Lawson:** That...

4243 **Chairperson Botel:** That's fine.

4244 **Chair Pro Tem Lawson:** That was my...

4245 **Chairperson Botel:** Alright. So...

4246 **Chair Pro Tem Lawson:** That was my motion.

4247 **Chairperson Botel:** Okay. Good. So, it.., so the motion includes then voting to...
4248 Fine. I understand. Madam Clerk, unless there's anyone else who wants to make a
4249 comment. Madam Clerk.

4250 **City Clerk Anthony:** Councilperson McCoy?

4251 **Councilperson McCoy:** Yes.

4252 **City Clerk Anthony:** Councilperson Miller-Anderson?

4253 **Councilperson Miller-Anderson:** Yes.

4254 **City Clerk Anthony:** Councilperson Lanier?

4255 **Councilperson Lanier:** No.

4256 **City Clerk Anthony:** Pro Tem Lawson?

4257 **Chair Pro Tem Lawson:** Yes.

4258 **City Clerk Anthony:** Chair Botel?

4259 **Chairperson Botel:** No.,

4260 **City Clerk Anthony:** That motion is approved with Councilpersons Lanier and Botel
4261 dissenting.

4262 **Chairperson Botel:** Okay. So now, Mr. Harvey, could you give us your lowest and
4263 best price?

4264 **Mr. R. Harvey:** Yes. Good day. Lowest and best price for year one would be \$82,00,
4265 year two, eighty'...

4266 **Councilperson Lanier:** I, I'm sorry. I didn't hear you, Mr. Harvey.

4267 **Chairperson Botel:** Eighty...

4268 **Mr. R. Harvey:** Okay. Can you...

4269 **Chairperson Botel:** ...two.

4270 **Mr. R. Harvey:** Can you hear me a little better?

4271 **Chairperson Botel:** Okay.

4272 **Mr. R. Harvey:** Year one, \$82,000; year two, \$82,000; yeah three, \$75,000; year
4273 three, \$75,00 and year four..., year five with the extension, \$75,000.

4274 **Councilperson Miller-Anderson:**Can he just restate that 'cause I think he said three
4275 twice. Just for the record.

4276 **Mr. R. Harvey:** I think so. I think so. Year one, \$82,000; year two, \$82,000 even.
4277 All of these are rounded numbers. Year three, \$75,000 even; year four \$75,000 even;
4278 and year five, the extension year, \$75,000 even.

4279 **Chairperson Botel:** So, am I right that that's three eighty-nine?

4280 **Chair Pro Tem Lawson:** Colleagues, that's a total of \$389,000, total pricing. Three
4281 eighty-nine for the life of this contract, a five year contract.

4282 **Chairperson Botel:** And, we're looking...

4283 **Chair Pro Tem Lawson:** And these first two years, Mr. Harvey, if you can explain,
4284 you priced them a little bit higher, is it because this has to be completed and expedited
4285 now and 2021?

4286 **Mr. R. Harvey:** That's correct. We're willing to have boots on the ground in July to
4287 start moving forward, and to get the 2019 audit out. Mr. Sherman has already said his
4288 expectation is three months. We wanna meet that for him. And then, to be ready to move
4289 right into 2020 to get the City back on track with issuing in the March slash April..., usually
4290 it's the first meeting in April, that we bring the capper to Council. And so, that's why the
4291 elevated rates in the first two years.

4292 **Councilperson Lanier:** And, I would like to say, Madam Chair, that anybody who got
4293 this bid would've been doing the same thing.

4294 **Chairperson Botel:** Right. Yes. Okay. Of course. So, as I calculated that's
4295 \$117,000 difference from the rate we got from Davis. Am I right? Anybody wanna check
4296 that?

4297 **Chair Pro Tem Lawson:** That is the difference based upon the bid we got from Davis.
4298 A hundred...

4299 **Chairperson Botel:** Right. Okay. So we're looking at a difference of \$114,000. And
4300 I guess we can make..., we can accept a motion to accept that price and go into co'...,
4301 enter into a contract with HCT or reject it and take into consideration that we might wanna
4302 negotiate with the second term..., second [stammer] firm.

4303 **Councilperson Lanier:** I'd like to add, Madam Chair, before we make the motion, I'd like
4304 to add the fact that I, I still, you know, even though Mr. McCoy said that my math was off,
4305 Mr. McCoy [chuckle], I still say that I would want the ten percent, per year, over five years,
4306 each year, as the amount for my vote.

4307 **Chairperson Botel:** Well, okay. Does somebody wanna make a motion to... Mr.
4308 McCoy?

4309 **Councilperson McCoy:** Are we gonna have a chance to discuss this? I wanted see if
4310 Councilwoman...

4311 **Chairperson Botel:** Yes.

4312 **Councilperson McCoy:** ...[inaudible]...

4313 **Chairperson Botel:** Sure.

4314 **Councilperson McCoy:** ...give him more money or something this time around.

4315 **Chairperson Botel:** You wanted to see what? Oh, stop it. Mr. McCoy, now.
4316 [Chuckles]

4317 **Chairperson Botel:** Behave yourself. Did somebody wanna make a motion...
4318 [Inaudible] here. Did somebody wanna make a motion to enter into contact with HCT
4319 based on the price of, what was the..., \$389,00?

4320 **Councilperson Lanier:** I'd like to make an amendment to the motion. I'd...

4321 **Chairperson Botel:** Nobody's.....

4322 **Councilperson Lanier:** ...like to make it a motion...

4323 **Chairperson Botel:** Ms. Lanier, nobody's made a motion yet.

4324 **Councilperson Lanier:** Oh. They haven't made it yet? Okay.

4325 **Chairperson Botel:** Temporarily. Does somebody..., does anybody wanna make
4326 that motion?

4327 **Councilperson Miller-Anderson:** I'm making a motion that we go with the amount that
4328 was [stammer] stated.

4329 **Chairperson Botel:** Okay. Does anyone wanna second that motion?

4330 **Councilperson McCoy:** Second.

4331 **Councilperson Lanier:** I'd like to make an amendment to that motion.

4332 **Chairperson Botel:** Well, you can ask the motion maker if...

4333 **Councilperson Lanier:** [Chuckle].

4334 **Chairperson Botel:** ...she would make an amendment to it.

4335 **Councilperson Lanier:** I'd like to add an amendment to that motion that, that the last
4336 two years be a ten percent discount. The amount that was given, which is \$389,000, over
4337 five years, the last two years we be given a ten percent discount for the City.

4338 **Chairperson Botel:** If you make that amendment... Well, let's see if it's accepted.
4339 Madam Miller-Anderson..., I think I almost called you Madam Chair. [Chuckle]. Something
4340 in me wants to give this role up all of a sudden. [Chuckle]. Councilwoman Miller-
4341 Anderson, do you accept that amendment?

4342 **Councilperson Miller-Anderson:** No. I'm sticking with what I said.

4343 **Councilperson McCoy:** Well..

4344 **Chairperson Botel:** Uh...

4345 **Councilperson McCoy:** ...[inaudible].

4346 **Chairperson Botel:** ...we can have discussion.

4347 **Councilperson McCoy:** Yeah. I had [inaudible]...

4348 **City Clerk Anthony:** Can we get a second? For that..., for the motion made by
4349 Councilperson...

4350 **Chairperson Botel:** We did.

4351 **City Clerk Anthony:** ...Lanier?

4352 **Chairperson Botel:** I believe, I believe Mr. McCoy seconded it. Am I right? No, No.
4353 Ms., Ms. Lanier didn't make a motion, she asked if...

4354 **Councilperson Lanier:** No. I, I... No, I did make a motion.

4355 **City Clerk Anthony:** She stated it as a motion, Madam Chair.

4356 **Chairperson Botel:** Oh, I'm sorry. I'm sorry. Do we have a second?

4357 **Councilperson Lanier:** I wanna...

4358 **Councilperson McCoy:** Yes.

4359 **Councilperson Lanier:** ...make a motion, and the motion that I had... Let me restate
4360 my motion. The motion that I had was the firm gave \$82,00 for year on, \$82,000 for year
4361 two and \$75,000 for year three, four and five. My amendment to that motion is for year
4362 four and five, to have a ten percent discount given to the City. [Pause]. That is my motion.

4363 **Chairperson Botel:** Is anyone willing to second...

4364 **Councilperson McCoy:** Ms. Lanier, that's gonna take \$374,000 over five years.

4365 **Councilperson Lanier:** No, no. I said just years three and four a ten percent discount.
4366 I didn't say over the five years.

4367 **Councilperson McCoy:** And then over the total, it's gonna be not to exceed \$374,000.
4368 That's what the math comes up to.

4369 **Councilperson Lanier:** \$374,000? Okay. That's fine.

4370 **Councilperson McCoy:** I'll second that.

4371 **Chairperson Botel:** Okay. Okay.

4372 **Councilperson Miller-Anderson:** That's..., Madam Chair, for clarity? Ms. Lanier, you
4373 said years three and four or four and five?

4374 **Councilperson Lanier:** Years four and five. I'm sorry. Years four and five.

4375 **Councilperson Miller-Anderson:** Okay.

4376 **Councilperson Lanier:** I think that's what I made the initial motion on. Four and five, I
4377 want an additional ten percent discount on those two..., last two years.

4378 **Unk.:** Okay.

4379 **Chairperson Botel:** Do we have discussion on that...

4380 **Councilperson McCoy:** Madam Chair? The two years [inaudible] \$67,500.

4381 **Councilperson Lanier:** Okay.

4382 **Councilperson McCoy:** Instead of seventy-five.

4383 **Councilperson Lanier:** Okay.

4384 **Councilperson McCoy:** Do we need time to..., so, so Members can do their math?

4385 **Chairperson Botel:** No, [stammer]. I trust you.

4386 **Councilperson McCoy:** You don't. Not all the time.

4387 [Chuckles]

4388 **Chairperson Botel:** I really do. I really do. You know that.

4389 **Councilperson McCoy:** Yeah. [Inaudible] perfect.

4390 **City Attorney Wynn:** Madam Chair?

4391 **Chairperson Botel:** I'm losing track. Madam Clerk. Madam Attorney, yes.

4392 **City Attorney Wynn:** As part of this discussion, do you want to now ask Mr. Harvey if
4393 that's acceptable before you vote or you do wanna vote and [chuckle] then see?

4394 **Chairperson Botel:** I think it wouldn't make sense to, to not ask Mr. Harvey. So, Mr.
4395 Harvey, are you willing to accept that [stammer]...

4396 **Councilperson McCoy:** Madam Chair? If, if I can say this. I really only wanted to extend
4397 the courtesy to Councilwoman Lanier, but I really didn't like the fact that we was asking
4398 somebody to take \$15,000, and I think the Manager and the Attorney would know why.
4399 Because, I literally found where we, in some cases, have kinda understated revenue that
4400 was due to the City by going to estimate further out in the future. And I certainly wanna
4401 be fair about it, but I only wanted to extend the motion so that we can continue to have
4402 the vote and discussion but I don't agree that we should get somebody to commit to
4403 something four and five years from now. I just wanted to have the discussion, 'cause
4404 COVID-19 really is the person that makes all the decisions around here.

4405 **Chairperson Botel:** [Chuckle]. Well, aren't we...

4406 **Councilperson Lanier:** And, and, and...

4407 **Chairperson Botel:** ...committing ourselves to something four or fives years out?

4408 **Councilperson McCoy:** I beg your pardon?

4409 **Councilperson Lanier:** Yeah. Wait...

4410 **Chairperson Botel:** Are, are we not committing ourselves to something four or five
4411 years out?

4412 **Councilperson McCoy:** Well, you know. You know, you may run for Congress, who
4413 knows.

4414 **Chairperson Botel:** [Chuckle]. Don't count on that. So...

4415 **Councilperson Lanier:** Well, we're looking at a five year contract, so if it's a five year
4416 contract, we're just asking for a ten percent discount in year four and five because it is a
4417 five year contract. It's not that we're gonna do a contract every year.

4418 **Chairperson Botel:** Yeah. What, what if we said..., what if we unanimously... Now,
4419 that would be something to see, what if we unanimously said, yeah. Let's tell him we
4420 want him to go down to three seventy-four. And, he says, 'No way.' Why, why don't we
4421 just ask him first before we take the trouble to...

4422 **Councilperson Lanier:** Yeah. Let's... Let's ask, let's ask.

4423 **Councilperson McCoy:** This the problem though. So, and, and let me tell you
4424 something. As much as I love my City, right? As a, a true finance and accounting
4425 professional, the, the problem you deal with is trying to estimate future revenues. And I

4426 don't wanna commit somebody to something like that, when the market really drives much
4427 of this. If we got into a point where he can agree comfortably where he'll accept even
4428 knowing the uncertainty of four years from now, I don't feel comfortable with now trying
4429 to really dictate this. I really wanna have the discussion but, literally, who can ex'...
4430 [Stammer], here's a better one. Can you ask estimate the amount of what gas is gonna
4431 be per gallon next week, next month? Try doing that in four years from now. So, I mean
4432 literally, that's what we're asking this guy to do on the fly. So, I wanna kinda be reasonable
4433 and sit down and have... But, just knowing how the whole market drives pricing for every
4434 single industry in the world, based on supply and demand, I, I just don't believe that that's
4435 something that would be prudent, or even fair for anybody. Even us for that matter.

4436 **Chairperson Botel:** But, but, but, we're..., we've asked everyone who's responded
4437 to this RFP to make a projection five years out about what the cost will be.

4438 **Councilperson McCoy:** And, and I totally...

4439 **Chairperson Botel:** So, we're not, we're not... What?

4440 **Councilperson McCoy:** And, and I totally understand that. But what I'm saying to you is
4441 this, now that we've kinda reduced down that this is..., I mean, you're literally asking
4442 somebody to take something that... I mean, what if they don't perform? The most that
4443 the City has, is to be able to get , I guess we can get consequential damages but what
4444 we actually agree to pay for the losses that we incurred but I don't see that we would...
4445 I, I don't feel comfortable with doing that. Cause I'm [inaudible]...

4446 **Councilperson Lanier:** Madam Chair?

4447 **Councilperson McCoy:** ...my business...

4448 **Chairperson Botel:** Yes. Ms. Lanier.

4449 **Councilperson Lanier:** I just wanted to say that the ten percent discount that I requested
4450 for the last two years of the contract are just that. We have a [stammer]..., we signed a...,
4451 we'll sign a fi'..., four year, one year option, contract with this firm, and that will..., that's...,
4452 that will be with any firm that we came..., that we agreed to negotiate with. We're
4453 negotiating based on the fact that, yes we do know that COVID runs the show, and we
4454 do not know that in year 2021, 2022, how our revenues are going to be. Meaning that we
4455 already know, we already know this. That there's going to be a significant fallout in
4456 revenues from the City, of course statewide, because of COVID. So, I'm asking for that
4457 discount based on that knowledge, that in, in three, and four and five years we're gonna
4458 be looking at the cost of, what it cost to do business right now and we're gonna see that
4459 turn up in 2021, 2022. And that's why I'm asking for this dis'..., this discount.

4460 I'm saying that it is reasonable to ask, given that we do not know how we are going
4461 to fare in COVID-19 and in the recession that is going..., that is sure to follow in the next
4462 three to four years, that we are asking for that ten percent discount up front because we
4463 know how it's going to play..., going to play out. And I think that that is reasonable to ask.

4464 **Chairperson Botel:** Mr. McCoy, would you have a serious objection to us just asking
4465 Mr. Harvey if he would...

4466 **Councilperson McCoy:** I don't. I don't.

4467 **Chairperson Botel:** You don't?

4468 **Councilperson McCoy:** We can ask him. I just wanted to...

4469 **Chairperson Botel:** Okay. Mr. Harvey, if the Board voted to give you this contract
4470 at the rate of \$374,00, would you accept that?

4471 **Mr. R. Harvey:** Thank you so much. I'm a little embarrassed about this but,
4472 Councilperson Lawson asked us to give our very best and we stand by our prices at
4473 eighty-two, eighty-two, seventy-five, seventy-five and seventy-five. We believe...

4474 **Chairperson Botel:** Okay. Thank you.

4475 **Mr. R. Harvey:** ...where we started out at \$90,000...

4476 **Chairperson Botel:** Thank you.

4477 **Mr. R. Harvey:** ...and where we're at now, those, those are best prices.

4478 **Chairperson Botel:** Okay. Thank you. So, Ms. Lanier, there's almost no point in
4479 discussing your motion, although I applaud you for trying to make it because Mr. Harvey
4480 will not accept that...

4481 **Councilperson Lanier:** And, and the motion.., we gotta, we gotta run with my motion
4482 and, and get a vote on it. You have to vote it down because if we vote this motion up and
4483 he does not agree, then we go to the next person. So this motion needs to go forward,
4484 whether it gets voted up or down.

4485 **Councilperson McCoy:** No. We haven't... We extended him...

4486 **City Attorney Wynn:** [Inaudible].

4487 **Councilperson McCoy:** ...an offer [inaudible] accept it. Right?

4488 **Chairperson Botel:** Oh, I better ask Ms. Wynn...

4489 **Councilperson Lanier:** No. Well.., there's a, there's a.., we don't.., it's not about him.
4490 Our motion. It is.., we, we, we run the show here. If I have a motion...

4491 **City Attorney Wynn:** If...

4492 **Councilperson Lanier:** ...on the floor and a second, we just say.., you can just vote it
4493 down, say yes or no and then that's the end of that.

4494 **City Attorney Wynn:** If Ms. Lanier's motion passes and Mr. Harvey does not accept,
4495 someone else can make a new motion, or we can go back to Ms. Miller-Anderson's first
4496 motion, I believe... The \$389,000, who made that motion?

4497 **Chairperson Botel:** I think it was Ms...

4498 **City Attorney Wynn:** Yes. Ms...

4499 **Chairperson Botel:** ...Miller-Anderson.

4500 **City Attorney Wynn:** ...Miller-Anderson, seconded by Mr. McCoy. We can go back
4501 to that. You..., you don't move on until to the next, to the next person until you all make a
4502 motion and vote to terminate negotiations with Mr. Harvey.

4503 **Chairperson Botel:** Okay. We got it. So, we do have to take Ms. Lanier's motion
4504 into consideration. Madam Clerk.

4505 **City Clerk Anthony:** Councilperson McCoy?

4506 **Councilperson McCoy:** No.

4507 **City Clerk Anthony:** Councilperson Miller-Anderson?

4508 **Councilperson Miller-Anderson:** No.

4509 **City Clerk Anthony:** Councilperson Lanier?

4510 **Councilperson Lanier:** Yes.

4511 **City Clerk Anthony:** Pro Tem Lawson?

4512 **Chair Pro Tem Lawson:** No.

4513 **City Clerk Anthony:** Chair Botel?

4514 **Chairperson Botel:** Yes.

4515 **City Clerk Anthony:** That motion fails with Councilperson McCoy, Miller-Anderson
4516 and Lawson dissenting.

4517 **Chairperson Botel:** Now, do we go back to Ms. Miller-Anderson's...

4518 **City Attorney Wynn:** Back to the...

4519 **Chairperson Botel:** ...motion?

4520 **City Clerk Anthony:** To the motion [stammer] made by Councilperson Miller-
4521 Anderson, seconded by Councilperson McCoy to accept the price of \$389,000 as
4522 presented...

4523 **Councilperson Miller-Anderson:** Was it Lawson? I thought Lawson's motion, the lowest
4524 best offer was the last one.

4525 **Chairperson Botel:** Right.

4526 **City Clerk Anthony:** [Inaudible] Lawson was the lowest best offer but once they
4527 offered it...

4528 **Councilperson Miller-Anderson:** We haven't voted on that. We haven't voted on that
4529 eighty-two, eighty-two, seventy-five, seventy-five, and seventy-five because Ms. Lanier
4530 put in her amended motion.

4531 **City Clerk Anthony:** You are correct, but we did vote on the motion where Mr.
4532 Lawson asked for the lowest. That was done and dissolved of. And then, HCT came
4533 back with their numbers and you made the motion to accept their numbers as presented,
4534 Ms. Miller-Anderson.

4535 **Councilperson Miller-Anderson:** Oh, okay. So, this is done?

4536 **City Clerk Anthony:** So this is the motion that we're on, the motion that was made to
4537 accept the numbers presented by HCT, which made it with a grand total of \$389,000. It's
4538 \$82,000 for year one, \$82,000 for year two, \$75,000 for year three, \$75,000 for year four,
4539 and \$75,000 for year five. And that motion has been made and seconded. And that's
4540 what we're about to vote on.

4541 **Chairperson Botel:** Okay. And just to be clear, that's \$114,000 difference. I have
4542 to.., I just have to make sure that we all understand that. It's a hundred and fourteen...

4543 **Councilperson Miller-Anderson:** And we all need to know that we don't know if that is
4544 the actual inhouse number. So, that, that's where...

4545 **Chairperson Botel:** [Inaudible].

4546 **Councilperson Miller-Anderson:** ...we need to make sure we say that too.

4547 **Chairperson Botel:** Yes.

4548 **Councilperson Miller-Anderson:** 'Cause that number.., that's just what was provided,
4549 that doesn't mean that's the golden number.

4550 **Chairperson Botel:** Well, no. That's means...

4551 **Councilperson Lanier:** That was the number that was provided by other firms.

4552 **Chairperson Botel:** It's a number that was provided by other firms.

4553 **Councilperson Lanier:** Which was the firm who was before that firm.

4554 **Chairperson Botel:** Yeah. The firm that was [inaudible].

4555 **Councilperson Miller-Anderson:** I understand. But, we... Again, that's not a golden
4556 number. We don't know that.

4557 **Chairperson Botel:** [Inaudible]. The firm that was voted second by the, by the
4558 Committee. Okay. So, let's... Madam... And if there's no more discussion, we'll call
4559 this question.

4560 **Councilperson McCoy:** Yeah. I got one point that I wanna make.

4561 **Chairperson Botel:** Oh, I'm sorry. Go ahead.

4562 **Councilperson McCoy:** Members, let me just share something with you. I really wished
4563 you guys would've negotiated with all of our working employees of the City of Riviera
4564 Beach, the way we're doing about a contract for an auditor. If I can remind you, I offered
4565 the same thing when it came to the pandemic pay policy for our working class people of
4566 the City. We spent all of, uh, probably four and a half.., fi'.., four and a half hours on this
4567 already. That's all I.., that's all I got. I yield back.

4568 **Chairperson Botel:** [Chuckle].

4569 **Councilperson Lanier:** And I want to say also, Madam Chair, that, you know, I'm just
4570 very disappointed that the, the auditor did not try to make this a unanimous vote.

4571 **Chairperson Botel:** Say that again.

4572 **Councilperson McCoy:** That's not fair.

4573 **Councilperson Lanier:** Meaning that the, that the auditor themselves, when asked
4574 would they take a ten percent of the year number four and number five...

4575 **Chairperson Botel:** Oh.

4576 **Councilperson Lanier:** ...to make this a unanimous vote, then they did not do that so,
4577 of course, we're not gonna have a unanimous vote on this item.

4578 **Councilperson McCoy:** Didn't I offer ten percent on the \$90,980 and he said he
4579 accepted?

4580 **Councilperson Lanier:** No. No, no.

4581 **Councilperson McCoy:** You said you wanted ten percent...

4582 **Chairperson Botel:** Okay. Let's [stammer], the hour is...

4583 **Councilperson Lanier:** There's a motion and a second on the floor.

4584 **Chairperson Botel:** We have a motion and a second.

4585 **Councilperson McCoy:** [Inaudible].

4586 **Councilperson Lanier:** And it's not gonna be unanimous. And I offered ten percent in
4587 year four and five and they.., he did not take that. So, that's that.

4588 **Councilperson McCoy:** You offered a \$90,980...

4589 **Councilperson Lanier:** I offered that. You rejected that.

4590 **Councilperson McCoy:** Which is ten percent...

4591 **Councilperson Lanier:** Council rejected that. I can back with year number four and
4592 number five. And you still rejected that.

4593 **Councilperson McCoy:** But he would have had a unanimous vote.

4594 **Councilperson Lanier:** No, he wouldn't have. No.

4595 **Councilperson McCoy:** But you made the offer.

4596 **Councilperson Lanier:** I made the offer and you rejected it.

4597 **Councilperson McCoy:** But, but, but, Ms. Lanier, I, I'm done.

4598 **Chairperson Botel:** Yeah. Please. We've, we've had enough. I, I think we've said
4599 all we're gonna say. I think we know how this is gonna turn out. Madam Clerk.

4600 **Unk.:** Yeah.

4601 **City Clerk Anthony:** Councilperson McCoy?

4602 **Councilperson McCoy:** Yes.

4603 **City Clerk Anthony:** Councilperson Miller-Anderson?

4604 **Councilperson Miller-Anderson:** Yes.

4605 **City Clerk Anthony:** Councilperson Lanier?

4606 **Councilperson Lanier:** No.

4607 **City Clerk Anthony:** Pro Tem Lawson?

4608 **Chair Pro Tem Lawson:** Yes.

4609 **City Clerk Anthony:** Chair Botel?

4610 **Chairperson Botel:** No.

4611 **City Clerk Anthony:** That motion is approved with Councilperson Lanier and Botel
4612 dissenting.

4613 **Chairperson Botel:** Okay. Mr. Evans, the next Item...

4614 **City Clerk Anthony:** Madam Chair...

4615 **Councilperson Miller-Anderson:** Madam Chair?

4616 **Chairperson Botel:** Yes. I'm sorry.

4617 **City Clerk Anthony:** Councilperson Miller-Anderson...

4618 **COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS**
4619 **(Three Minute Limitation)**

4620 **Councilperson Miller-Anderson:** Did we have general public comments?

4621 **Chairperson Botel:** [Chuckle]. No. Did we have any, Ms., Madam Clerk? You're
4622 on mute. It's on mute.

4623 **City Clerk Anthony:** We do have one public comment. The acceptance of public
4624 comments at this time is closed.

4625 **Chairperson Botel:** Thank you. Thank you, Ms. Miller-Anderson, for reminding us
4626 of our duty to hear the public. [Chuckle]. We just got so caught up. Alright. Let's hear
4627 it, Ms. Anthony.

4628 **City Clerk Anthony:** Deborah, are you...

4629 **Chairperson Botel:** Madam Clerk.

4630 **City Clerk Anthony:** Okay. We can't hear you. Can you... Let me pull it up. [Pause].
4631 Our public comment comes from John Clayton. The email address is
4632 john_m_clayton@hotmail.com.

4633 Good evening everyone. My name is John Clayton and my house is located on
4634 Avenue E. Yesterday, I received a letter from the Code Compliance Department and it
4635 stated I had to repair my wooden privacy fence, trim overgrowth in my backyard and resod
4636 areas in my front yard. The only problem is, these issues were already addressed back
4637 in April and I have both the new sections of the fence, as well as a bill from my landscaper,
4638 MPM Landscaping, to prove it. The only issue I will not be addressing is the sod in my
4639 front yard. There is a convenient store next door to me and it makes growing a really
4640 good lawn impossible. I have attempted to plant various plants out from..., out front to
4641 beautify my yard and I have personally seen the patrons from that store pour poison on
4642 my plants. If the City is willing to shut down and demolish that store, then I will be willing
4643 to upgrade my front yard but I will not throw good money after bad. I spoke to Inspect
4644 John Johnson yesterday and I asked him if he would not mind coming out to quickly look
4645 at my property and his tone became very rude. My house is homestead property,
4646 protected under the Florida Homestead law and I'm well aware of my rights under this

4647 law. And any resident that has homesteaded property needs to be aware of this law, and
4648 the protections it provided..., provides as well.

4649 Also, since my house was built in 1947 and has been in my family since 1951, it is
4650 grandfathered into the current Code laws. I would encourage my fellow residents that if
4651 they have received similar letters, to please make a public comment concerning them.
4652 The more of us that know about this, the better.

4653 Thank you for your time and attention. Respectfully submitted, John Clayton.

4654 Madam Chair, that concludes public comments.

4655 **Chairperson Botel:** Thank you. Okay. Mr. Evans, we have one more Item on the
4656 Agenda but I think I'm gonna request that we either have a special meeting. Is there an
4657 urgency for us... I, I would like to see us do something about our Agenda on..., and so
4658 [inaudible], per your, per your memo, but I'm wondering if we can either have a special
4659 meeting or postpone this.

4660 **City Manager Evans:** We can..., Madam Chair, we can certainly postpone it. I did have
4661 a two and a half hour PowerPoint presentation to go through...

4662 **Chairperson Botel:** [Stammer].

4663 **City Manager Evans:** ...for the s'..., the, the hour that it is this evening, I can put it onto
4664 another Agenda.

4665 **Chairperson Botel:** Thank you very much.

4666 **Councilperson McCoy:** I wanted...

4667 **Councilperson Lanier:** Thank you. Mr. Evans. Madam Chair, can I ask one question,
4668 please? I don't wanna belabor this point. Let me go back to our mo'..., our, our vote that
4669 we just had. Now, do we have to make a motion to terminate negotiations with this, with
4670 this agency? So that there won't be anymore negotiations with them? I just wanna be
4671 clear on that because I, I don't want it to go back to the City Attorney or the City
4672 Administration and there's additional negotiations. Do we have to make a motion to ne'...,
4673 just, just decide that there are no more negotiations with this firm?

4674 **Councilperson McCoy:** I just thought about something. Isn't she conflicted in any way?
4675 Why would she even... How is it that she can act on the Committee and then as a
4676 Member? Wouldn't she be conflicted?

4677 **City Attorney Wynn:** The statue...

4678 **Councilperson Lanier:** [Inaudible].

4679 **City Attorney Wynn:** ...allowed that. The statute...

4680 **Councilperson Lanier:** The statute allowed that.

4681 **City Attorney Wynn:** ...mandated the appointment for a Board., from a Council
4682 Member.

4683 **Councilperson McCoy:** Right. But, but, I mean, it's almost like doing office holding.
4684 When you make a recommendation and then validate it on the back end. I mean,
4685 [inaudible]?

4686 **City Attorney Wynn:** The statue allows it.

4687 **Councilperson Lanier:** And that is the reason why I asked the Committee to come to
4688 talk to the Council. But, with all that being said, I just wanna know...

4689 **Councilperson McCoy:** Ms. Wynn?

4690 **Councilperson Lanier:** I just wanna understand that it., that, that., do we have to make
4691 a formal motion to terminate negotiations with this, with this firm?

4692 **City Manager Evans:** No. You., Madam Chair, or, Madam Councilwoman, you
4693 wouldn't have to make any motions. By the firm agreeing to the terms and conditions that
4694 were enumerated in the contract that was part of the RFP and the price and the years,
4695 that's the only modifications that would be made, and we already have the legislative
4696 action by the Board to facilitate that. So, from our perspective, the contract is solidified
4697 and now it's just a matter of the City Council signing the agreement and the auditing firm,
4698 and there would not be any subsequent negotiations that would ensue after this meeting.

4699 **Councilperson Lanier:** Okay. I just wanted to make sure. To the City Attorney, is that.,
4700 I'm not saying that you're not correct, Mr. Evans, but I just don't., I just wanna make sure
4701 that legally we don't have to entertain a motion to actually de cease negotiations with this
4702 firm. Is that correct, Ms. Wynn?

4703 **City Attorney Wynn:** That's correct. If, for some reason, the firm came back with
4704 something else they wanted us to do... Let's say they wanted us to reduce the insurance
4705 requirement, we would bring that back to you. We., because you all are the negotiating
4706 body.

4707 **Councilperson Lanier:** Okay.

4708 **City Attorney Wynn:** So.

4709 **Councilperson Lanier:** Okay. Well, I just wanted to make sure because I know that this
4710 may be an issue for either, the Internal Auditor or, or Internal General., Inspector General,
4711 or for an appeal, and I just wanted to make sure that we cut off all negotiations at this
4712 point...

4713 **Councilperson McCoy:** What about the...

4714 **Councilperson Lanier:** ...with that firm. So that's it's, it's been stated on the record that
4715 we, that there's no, no more negotiations with them.

4716 **Councilperson McCoy:** Would the Commission on Ethics be concerned with this, Ms.
4717 Wynn?

4718 **City Attorney Wynn:** For what reason?

4719 **Councilperson McCoy:** For the conflict.

4720 **City Attorney Wynn:** What conflict?

4721 **Councilperson McCoy:** That you can act as a recommending member and then turn
4722 around and accept the recommendation, so that...

4723 **City Attorney Wynn:** The statute...

4724 **Councilperson McCoy:** So what... Here, here's what you do. Me personally, I'm gonna
4725 request offline, personal written request from the Commission on Ethics, from your office.

4726 **Chairperson Botel:** Okay. So, where are we? We're with...

4727 [Pause]

4728 **Councilperson Lanier:** You know, to be, to be, to be real clear here, I just wanna make
4729 a motion to [stammer] to terminate negotiations with HCT, that, that our business with
4730 them is done tonight. Make a motion to ne'..., just to..., those, those negotiations are done
4731 tonight. I just wanna...

4732 **City Attorney Wynn:** Um...

4733 **Councilperson Lanier:** ...make a motion to terminate those, those...

4734 **City Attorney Wynn:** Can I make a suggestion then, instead...

4735 **Councilperson Lanier:** Yes.

4736 **City Attorney Wynn:** ...of you using the word terminate, that you say to close
4737 negotiation or finalize negotiations? 'Cause I don't want it., that motion to appear as if
4738 you, you all have changed your minds and decided not to negotiate.

4739 **Councilperson Lanier:** Okay. Well, to, for lack of a better terms, to close the process
4740 of negotiation with this firm. Tonight. That's the motion I...

4741 **Chairperson Botel:** Can I just...

4742 **Councilperson Lanier:** ...wanted to make.

4743 **Chairperson Botel:** Thank you. But I have a question. How, how would Ms. Wynn
4744 deal with issues around the contract and, I mean, if, if negotiations are terminated, doesn't
4745 that tie the hands of...

4746 **Councilperson Lanier:** No, she... We, we just, we just, we just changed it. It's to close
4747 negotiations.

4748 **City Clerk Anthony:** Ma'..., Madam Chair, I need...

4749 **City Attorney Wynn:** There should be...

4750 **City Clerk Anthony:** ...get a second to that...

4751 **City Attorney Wynn:** I wanna make sure...

4752 **City Clerk Anthony:** ...[inaudible]?

4753 **City Attorney Wynn:** I'm sorry.

4754 **Chairperson Botel:** Ms. Wynn. Oh...

4755 **City Clerk Anthony:** Madam Chair...

4756 [Inaudible comments]

4757 **City Clerk Anthony:** Can we get a second before we consi'..., continue...

4758 **Chairperson Botel:** Oh, sorry.

4759 **City Clerk Anthony:** ...discussion on that?

4760 **Chairperson Botel:** Can somebody second... Would [stammer]... Does anybody
4761 want to make a se'..., to second that motion? [Pause]. I'll pass the gavel and second it,
4762 so we can... Ma'... I'll pass the gavel and second it, to Mr. McCoy's objection I'm sure.
4763 So that we can at least have a conversation about it.

4764 **Councilperson McCoy:** Can you remind me? She wants to terminate negotiations?

4765 **Councilperson Lanier:** No. I want to close negotiations with them. That means tonight,
4766 after we've, we've gone back and forth negotiating with them, I want to formally close
4767 those negotiations with them tonight.

4768 **Councilperson McCoy:** Is there a reason why you...

4769 **Chairperson Botel:** And the purpo'... And the purpose would be?

4770 **Councilperson Lanier:** The purpose would be to ensure that no other firm comes back
4771 to say that we did not formally close these negotiations.

4772 **Councilperson McCoy:** Well, that... I, I don't know...

4773 **Councilperson Lanier:** No. I'm asking. I got a second. You don't wanna vote for it,
4774 you don't have to. Let's go ahead and make this quick.

4775 **Chairperson Botel:** And I'm only asking, Ms. Wynn, does that tie the hands of the
4776 City in any way?

4777 **Councilperson Lanier:** No. That's the reason...

4778 **City Attorney Wynn:** I mean, if...

4779 **Councilperson Lanier:** ...why she suggested it...

4780 **City Attorney Wynn:** If Mr. Harvey or this firm were to say that they didn't agree with...
4781 My plan is that we would take the current contract, change the name from the Grau to
4782 HCT, change the dollar amount, correct the addresses and get them signed. If there's
4783 anything over and above that, we would have to come back to you all and tell you that
4784 those negotiations fell through.

4785 **Chairperson Botel:** Right. And I'm fine with that.

4786 **Councilperson Lanier:** And, and I just wanted to make sure that this is..., this process is
4787 officially closed.

4788 **Chairperson Botel:** Okay. So, we have a motion and a second. Any other
4789 discussion?

4790 **City Clerk Anthony:** Madam Chair, you are not the Chair. That would be Mr.
4791 Lawson, please.

4792 **Chairperson Botel:** [Chuckle]. Thank you.

4793 **Chair Pro Tem Lawson:** Any other discussion from the Council?

4794 **Councilperson McCoy:** Report on what it means to pass the gavel and what rule
4795 provides that you can do that. Mr. Evans.

4796 **Chair Pro Tem Lawson:** That, that, that, Councilman McCoy, that is, that is your
4797 second request, sir. I think...

4798 **Councilperson McCoy:** That, that's a Mr. Evans question because the City Clerk's office
4799 would fall under his, his supervision. So clearly, I ain't never seen nobody pass the gavel.
4800 And it just so happens, [inaudible] parliamentarian on the Black Elected Officials
4801 Organization of Palm Beach County. [Inaudible] seen that before.

4802 **City Manager Evans:** I, I think that, that actually..., I think the Attorney is supposed to
4803 be your parliamentarian per the Charter. So...

4804 **Councilperson McCoy:** You're pretty savvy though.

4805 **City Manager Evans:** [Chuckle]. We'll, we'll find that and we'll get back to you,
4806 Councilman.

4807 **Councilperson McCoy:** Good enough. Thank you.

4808 **Chair Pro Tem Lawson:** Thank you. Ms. Anthony. Madam Clerk.

4809 **City Clerk Anthony:** Councilperson McCoy?

4810 **Councilperson McCoy:** Yes.

4811 **City Clerk Anthony:** Councilperson Miller-Anderson?

4812 **Councilperson Miller-Anderson:** No.

4813 **City Clerk Anthony:** Councilperson Lanier?

4814 **Councilperson Lanier:** Yes.

4815 **City Clerk Anthony:** Councilperson Botel?

4816 **Chairperson Botel:** Yes.

4817 **City Clerk Anthony:** Councilperson..., Chairperson...

4818 **Chair Pro Tem Lawson:** Yes.

4819 **City Clerk Anthony:** That motion is approved with Councilperson Miller-Anderson
4820 dissenting.

4821 **Councilperson McCoy:** Now you got what you wanted, Councilwoman Lanier. I hope
4822 whatever subsequent action that you think is gonna happen after this, go right ahead
4823 because I'm...

4824 **Councilperson Lanier:** No., I, I... It's not me. It's not me, sir. We had, we had..., we
4825 got a full audience tonight. I just wanna make sure that the City is covered in this process,
4826 sir.

4827 **Councilperson McCoy:** Are, are you a', you a agent for someone?

4828 **Chairperson Botel:** [Chuckle].

4829 **Councilperson McCoy:** I withdraw that question.

4830 **Councilperson Lanier:** Thank you.

4831 **Councilperson Miller-Anderson:** Mr. Lawson?

4832 **Chair Pro Tem Lawson:** I'm gonna...

4833 **City Clerk Anthony:** Mr. Lawson...

4834 **Chair Pro Tem Lawson:** Ms. Miller-Anderson.

4835 **Councilperson Miller-Anderson:** I just wanted to put on the record why I stated no was
4836 because typically when you, you know, make that motion and you vote on doing that, that,
4837 that pretty much closes it. Unless something changes, I mean, it comes back to us but
4838 that., we, we went for the lowest best offer and that's what we got. So, I didn't see the
4839 point in having to do that.

4840 But, thank you.

4841 **Chair Pro Tem Lawson:** Thank you, Ms. Miller-Anderson. I'm gonna pass the gavel
4842 back to Councilwoman Botel.

4843 **Chairperson Botel:** Thank you. So, we are not going to... We had our public
4844 comments. Mr. Evans has agreed that we will postpone the other Item.

4845 **DISCUSSION BY CITY MANAGER**

4846 **Chairperson Botel:** Do we have a discussion by City Manager? Oh yes. We had
4847 two...

4848 **City Manager Evans:** Yes.

4849 **Chairperson Botel:** We had two...

4850 **City Manager Evans:** Two...

4851 **Chairperson Botel:** ...two short Items.

4852 **City Manager Evans:** ...two really quick Items. First, we'll go into the Grad Bash. And
4853 I'll let Councilman Lawson kinda just briefly explain where we started off and where we
4854 are and then I'll provide some additional insight with respect to the funding request.

4855 **Councilperson McCoy:** I would like for you to do it. I don't wanna be another half hour.

4856 **Chair Pro Tem Lawson:** I'll make, I'll, I'll make this quick. Thank you, Mr. Evans and
4857 Madam Chair. The event that we planned for our seniors here in the community was
4858 gonna be a Grad Bash here in Riviera Beach. We, we reached out to the Rapids to
4859 partner, to host a, a grad night for all of our graduating seniors. Due to the numbers and
4860 the spike within the community, and us just trying to play cautious and safe, we made the
4861 determination that we're going to do a, a toned down event, where we're gonna do more
4862 of a Grad Bag type event, where we're gonna be providing trinkets, we're gonna be
4863 providing gift cards, we're gonna be providing momentums to our graduating seniors, at
4864 an event that we plan on hosting here in the City. It's gonna be a drive thru for all of our

4865 graduating seniors to celebrate the seniors, to congratulate them and to honor them. So,
4866 our goal is to provide different things that we've been talking to as a, as a committee, to
4867 these seniors that are gonna be impactful for them and show them that we truly care and,
4868 and we honor their, their commitment. Our goal is also to keep the partnership and
4869 discussions with the Rapids to possibly move forward with hosting a grad night here in
4870 the community as time permits within the future, when this COVID crisis/pandemic starts
4871 to tone down. So, possibly next year, making this a main attraction and taking some of
4872 the seniors that go to Orlando and bringing them back here to the City to celebrate grad
4873 night here in the community.

4874 So, we're gonna be working on that aggressively next year and possibly bringing
4875 that before the Board during budget discussions. So, as of right now, we're looking at
4876 July 28th as the date to... I'm sorry, July 25th, as a host date for Grad Bash.., or Grad Bag
4877 giveaway. And, our goal is to giveaway a hundred.., four hundred and fifty three.., I
4878 believe fifty-nine bags, is our graduating senior number that we can give to the graduating
4879 seniors.

4880 And Mr. Evans, if you wanna expand upon that a little bit.

4881 **City Manager Evans:** Yes. Certainly. So, we've identified, based on the information
4882 that's been provided to us, that's there's approximately a little over four hundred and fifty
4883 seniors. The bags will be filled with trinkets and little things that they would need, whether
4884 they're going off to college or whether mom and dad tells them it's time for them to spread
4885 their wings. So, some toiletries, some maybe some good reading. And what we have
4886 identified as approximately forty to \$45,000 that is available in the recreation budget as a
4887 result of some savings that we've experienced, and wanted to earmark that money to
4888 assist in providing those bags. Also, we are going to go out to the business community
4889 and see if there's an opportunity to match the City's contribution with in-kind support so
4890 we can really fill those bags up and then, obviously, the registration from the students to
4891 ensure that we can have a smooth flowing event and everybody gets the same bag,
4892 whether they're going off to college or whether they're going off to trade school, or whether
4893 they're going off to live with some of their friends 'cause mom and dad said, you know,
4894 it's that time.

4895 So, we wanted to get the City Council support to look to appropriate those monies
4896 to move forward in that direction and then, obviously, work with the Council for the
4897 promotional pieces and make sure that you're invited to participate in the event.

4898 **Chair Pro Tem Lawson:** Short and sweet, Councilman McCoy.

4899 **Councilperson McCoy:** I beg your pardon?

4900 **Chair Pro Tem Lawson:** Short and sweet, just for you, Councilman McCoy.

4901 **Councilperson McCoy:** What else you got [inaudible]?

4902 **Councilperson Lanier:** I thought there were two presentations.

4903 **City Manager Evans:** That was ...

4904 **Chair Pro Tem Lawson:** That was, that was just the Grad Bag.

4905 [Inaudible comments]

4906 **Councilperson Lanier:** Oh, oh, okay.

4907 **Chair Pro Tem Lawson:** We have another one. The...

4908 **Councilperson Lanier:** Okay.

4909 **Chair Pro Tem Lawson:** ...bicycle event that's, that Mr. Evans and the City's
4910 hosting. But, that was just the Grab Bash even initiative that we're looking to bring for
4911 July 28th..., July 20th.

4912 **Councilperson Lanier:** Okay.

4913 **Councilperson McCoy:** I'm sure...

4914 **Chair Pro Tem Lawson:** 25th. I'm sorry, July 25h.

4915 **Councilperson Lanier:** Do you have flyers made already, Mr., Councilman Lawson?

4916 **Chair Pro Tem Lawson:** Not yet. We wanted to get the support of the Council and
4917 make sure this is an initiative that, that we can kind of have everyone get behind, and
4918 then we would put out a flyer and get registrations completed for all the graduating
4919 seniors. 'Cause I know you actually went and presented to a lot of the seniors so you
4920 have contact with them already. I see.., I think Mr., Mayor Felder did do his initiative
4921 where he has the.., I noticed that the yard sticks are in front of City Hall right now with all
4922 of our graduating seniors. So, we wanna continue to honor them and support them. So
4923 we're gonna put together a flyer and hopefully have it finished by the end of this week.

4924 **Councilperson Lanier:** Okay. And, and I also would like to add, Councilman Lawson,
4925 if you can add, you know, as, as I am, to add a Public Health component to this to
4926 encourage people to wear their masks and to stay home as much as possible. So, within
4927 that bag, to have something that encourages social distancing and encourages, you
4928 know, staying put and encourages wearing a mask.

4929 **Chair Pro Tem Lawson:** Yes. Absolutely. We actually reached out to the universities
4930 already and I'm trying to get some of the school masks from the different colleges
4931 throughout the State of Florida to provide mask for them, just to kinda honor the different
4932 schools and to represent the schools that they may be going to or that.., may have interest
4933 in them.

4934 So, we're definitely gonna be talking about the health aspect of it as well.

4935 **City Manager Evans:** And, and also, if, if there is a disproportionate share of masks
4936 from UCF, Councilman Lawson and I had nothing to do with it.

4937 **Chairperson Botel:** [Chuckle].

4938 **Councilperson Lanier:** Now, there's gonna be too..., there's gonna be so many masks
4939 from FAMU, you don't even know what to do with them.

4940 **Chair Pro Tem Lawson:** I, I have everything to do with it.

4941 [Chuckles]

4942 **Chair Pro Tem Lawson:** Yeah. So, I'm telling you guys now.

4943 **Councilperson McCoy:** [Inaudible].

4944 **Chairperson Botel:** Mr., Mr. Lawson, I applaud, I applaud this and I will give you
4945 my complete support if you, in turn, give me your support for the project that I'm working
4946 on with Dan Calloway to provide, you know, we just learned that the kids will not be going
4947 back to school, real, real world school. They'll be still doing distance learning. And, we
4948 know, and I think KaShamba will attest to this as well, it's really difficult for some of our
4949 kids to succeed if all they're gonna get is distance learning, and so I wanna try to do some
4950 tutoring, especially for the JFK Middle school kids. So, I'll be coming to you about that. I
4951 gotta finalize the use of the school, that's something we're working on.

4952 But in any case, yeah. You have my support. Do you..., did you make a make a
4953 motion and... Did you make a motion or would Ms. Miller-Anderson...

4954 **Chair Pro Tem Lawson:** Well, I wanted to hear from the rest.

4955 **Councilperson Miller-Anderson:** Well, I can certainly support it as long as we
4956 keep in mind that there are some other projects that we are [inaudible]..., we're looking at
4957 doing, such as a civilian oversight for the Public Safety Committee. And, as I mentioned
4958 to you on last meeting, it is going to cost money to do that, and it will be above and beyond
4959 that \$25,00. And there are a few other things that, that the Committee is working on. So
4960 please be as generous towards that initiative as we were for the small business loan, and
4961 for this Grad Bash. As long as we still have some money to provide for those types ac'...,
4962 type of activities, then I can certainly support doing this.

4963 My only question about it, the four hundred and fifty-three, are those confirmed
4964 kids that are graduating? Or, are we just looking at kids...

4965 **City Manager Evans:** [Stammer]...

4966 **Councilperson Miller-Anderson:** ...that are in twelfth grad or what?

4967 **City Manager Evans:** That, that's an estimate based on the kids that have
4968 graduated. And so...

4969 **Councilperson Miller-Anderson:** Okay.

4970 **City Manager Evans:** ...we would refine that and make sure that we, in fact, have
4971 documentation or proof that in fact they, they have in fact graduated.

4972 **Councilperson Miller-Anderson:** Okay. And then, as far as a drive-up..., you're...,
4973 so they would stay in the car and everybody just drive up and you just throw the stuff in
4974 the car for them?

4975 **City Manager Evans:** We... Right.

4976 **Chair Pro Tem Lawson:** [Inaudible].

4977 **Councilperson Miller-Anderson:** You're not talking about having any out'...,
4978 outdoor gathering type things?

4979 **Chair Pro Tem Lawson:** No. We're..., we'll, we'll have some music playing, it'll be
4980 congratulatory music. We're gonna just try to get some of the City leaders to come out
4981 and to just hand the bags out with masks. I don't wanna have too many people.
4982 Volunteers, they're giving the masks out but I've reached out to some of the..., some of
4983 the athletes that have come from our community, I'm asking the Council if you guys can
4984 all be there to just give out the bags and just to literally take a picture and let them keep
4985 going. Staying in the car, social distancing.

4986 **Councilperson Miller-Anderson:** And these funds, Mr. Evans, you said they were
4987 earmarked for Parks & Rec.

4988 **City Manager Evans:** They were some monies that were left over from some of the
4989 activities and the programs that we're not doing, i.e., the, the monies that we would set
4990 aside for 4th of July. Since we're doing the front porch fireworks and not doing the
4991 entertainment, there's some savings associated with there, and then there's some other
4992 savings associated with us not expending the money to do summer camp and some of
4993 the other activities , we actually have monies available in that Department.

4994 **Councilperson Miller-Anderson:** Alright. And so, if you could provide me, and
4995 maybe the Council as well, any funds such as that, that are available. You know, maybe
4996 that's a discussion that we might wanna have to say what we can..., you know, maybe
4997 move money around.

4998 **City Manager Evans:** Yeah.

4999 **Councilperson Miller-Anderson:** I also know that we wanna think about, you
5000 know, holding on to some, as much as possible.

5001 **City Manager Evans:** Yeah.

5002 **Councilperson Miller-Anderson:** So. Alright. That's it for me. Thank you. Thank
5003 you, Mr. Lawson.

5004 **Chairperson Botel:** Anybody else?

5005 **Chair Pro Tem Lawson:** Thank you, ma'am.

5006 **Chairperson Botel:** Okay. Madam Clerk.

5007 **Councilperson McCoy:** You know, one...

5008 **Chairperson Botel:** Did we get...

5009 **Councilperson McCoy:** ...of the...

5010 **Chairperson Botel:** ...a sec'... Did we get a second? Did we [inaudible]...

5011 **Councilperson McCoy:** No.

5012 **Chair Pro Tem Lawson:** We never made it formal, Madam Chair.

5013 **Councilperson McCoy:** I guess the question is, Mr. Evans, are you looking for
5014 legislative action regarding about appropriating or moving those dollars from Parks &
5015 Rec?

5016 **City Manager Evans:** Yes, sir. Yes, sir. I would, I would be requesting that the
5017 Board allow for us to., the expenditure amount of, you know, not to exceed \$45,000,
5018 whatever., and whatever legally available funds that we do have.

5019 **Chairperson Botel:** Mr. McCoy.

5020 **Councilperson McCoy:** Yes. I'm afraid, I won't be able to support Councilman
5021 Lawson. The kids I'll support, but not Councilman...

5022 **Chairperson Botel:** Stop. Stop.

5023 **Councilperson McCoy:** I'm gonna [inaudible]...

5024 **Chair Pro Tem Lawson:** On that note, I'm gonna., on that note, I'm gonna make the
5025 motion that we move forward with the Grab Bag Giveaway for our graduating seniors here
5026 in the City, with a budget not to exceed \$45,000 as allocated by Mr. Evans.

5027 **Councilperson McCoy:** Second.

5028 **Chairperson Botel:** Does... I knew you were gonna do that. Madam Clerk.

5029 **City Clerk Anthony:** Councilperson McCoy?

5030 **Councilperson McCoy:** Yes.

5031 **City Clerk Anthony:** Councilperson Miller-Anderson?

5032 **Councilperson Miller-Anderson:** Yes.

5033 **City Clerk Anthony:** Councilperson Lanier?

5034 **Councilperson Lanier:** Yes.

5035 **City Clerk Anthony:** Pro Tem Lawson?

5036 **Chair Pro Tem Lawson:** Yes.

5037 **City Clerk Anthony:** Chair Botel?

5038 **Chairperson Botel:** Yes.

5039 **City Clerk Anthony:** Unanimous vote.

5040 **Chairperson Botel:** Thank you. Mr. Evans, your second presentation.

5041 **City Manager Evans:** And, and if the Board will indulge me, there's just one
5042 housekeeping item before we get to the last one. The Emergency Declaration was
5043 actually expired as part of the meeting, and so we weren't able to execute it prior to the
5044 expiration, so I would need authorization from the Board to [stammer].., to get the
5045 authority to execute another Local State of Emergency to continue our COVID related
5046 activities and responsibilities and duties. And that would be extended every seven days
5047 until we come out of a Local State of Emergency.

5048 **Councilperson Miller-Anderson:** So moved.

5049 **Chairperson Botel:** Thank you. Would someone like to make a second?

5050 **Councilperson Lanier:** Second.

5051 **Chairperson Botel:** Thank you. Any discussion? Madam Clerk. [Pause]. Oh.
5052 Mr. McCoy.

5053 **Councilperson McCoy:** Thank you. Because I.., I was offline.., off of mute... I mean,
5054 I was on mute. So, what is different, and what does that provide for now, Mr. Evans?
5055 What's different now?

5056 **City Manager Evans:** It's exactly the same thing that we have consistently been
5057 doing, but I have to sign it by 6:00 p.m. every Wednesday, and we missed the dea'.., the
5058 time by, like, seventeen, eighteen minutes, so I have to ask for authorization from the
5059 Board to continue to do. It's the same exact thing that we have been.., been doing since
5060 we went into the activation back March 20th.

5061 **Councilperson McCoy:** So what authorities would you particularly have that wasn't
5062 already delineated before?

5063 **City Manager Evans:** It, it's, it's the same authorities. It's just that it was expired
5064 because we didn't execute it. Today, if I would've executed it at six., or 5:59, or what
5065 have you, it would've been a moot point, there would've no., been no issue. But, by the
5066 time I end up getting the document to sign it, it was past the expiration time. So I need
5067 authorization from the Board to proceed forward with the continued stay.

5068 **Councilperson McCoy:** So does this authority also provide you the ability to exercise
5069 pandemic pay?

5070 **City Manager Evans:** This., yes. This has everything, yes.

5071 **Councilperson McCoy:** Okay.

5072 **Chairperson Botel:** Anything else? Madam Clerk.

5073 **City Clerk Anthony:** Councilperson McCoy?

5074 **Councilperson McCoy:** No.

5075 **City Clerk Anthony:** Did you say no, Mr. McCoy?

5076 **Councilperson McCoy:** No.

5077 **City Clerk Anthony:** Thank you. Councilperson Miller-Anderson?

5078 **Councilperson Miller-Anderson:** Yes.

5079 **City Clerk Anthony:** Councilperson Lanier?

5080 **Councilperson Lanier:** Yes.

5081 **City Clerk Anthony:** Pro Tem Lawson?

5082 **Chair Pro Tem Lawson:** Yes.

5083 **City Clerk Anthony:** Chair Botel?

5084 **Chairperson Botel:** Yes.

5085 **City Clerk Anthony:** That motion is approved with Councilperson McCoy
5086 dissenting.

5087 **Councilperson McCoy:** Follow up question. So, if I'm correct, you just said this
5088 authorizes you to implement the pandemic pay. Is that correct, Mr. Evans?

5089 **City Manager Evans:** It's, it's already implemented, yes.

5090 **Councilperson McCoy:** So, had we not extended the State of Emergency, would you
5091 still been able to have implemented this pay, irrespective of us continuing the Local State

5092 of Emergency? Because I wanna know if there's a nexus. So, if you wanna come back
5093 and decide on that question in written, then I would love that 'cause I don't want you to
5094 commit unless we absolutely know. So, I...

5095 **City Manager Evans:** Okay.

5096 **Councilperson McCoy:** ...I actually withdraw that question and ask, can you give us
5097 some written.

5098 **City Manager Evans:** Okay. I, I can do that.

5099 **Chairperson Botel:** And now for the second presentation.

5100 **City Manager Evans:** Okay. Madam Chair, Members of the Board, if I can have
5101 Chief Osgood, and I believe Chief Curd is on the line as well, and I think maybe even Ms.
5102 Franks. We've had the opportunity to work with Abe Elam, the Elam Foundation and
5103 Jacoby Brissett about a community event that they're looking to do in a social., socially
5104 responsible manner. And so, I'm gonna allow for Chief Osgood to explain some of the
5105 nuances of the event, and then Chief Curd can talk about the Public Safety and Public
5106 Health aspect to ensure that we can make sure we do this safe and do not put anyone in
5107 harm's way. And then ultimately, we just want the blessing from the Board to proceed
5108 forward as, as communicated.

5109 Chief Osgood.

5110 **Police Chief Osgood:** Thank you, Mr. Manager. Good evening again, Council
5111 Members and Mayor.

5112 I met with Abe Elam of Team Elam Foundation and Jacoby Brissett about two
5113 weeks ago and the first thing Jacoby said, 'Imma., I came up through all the programs in
5114 the City of Riviera Beach,' and looking at the civil distress going on around the country,
5115 they wanted the young kids to know that when they were young, the police officers were
5116 their friends. Their biggest role models they said were Dan Calloway and, and other
5117 police officers right here in the City of Riviera Beach. So, Abe and Jacoby said we would
5118 like to do something for the kids, and we wanna know can get you and your team, the
5119 police officers, to volunteer. So with that, they came up with 'Start the Cycle'. They
5120 purchased a few hundred bicycles to give out to the youth in our community of Riviera
5121 Beach, and they., the date is gonna be July 10th. That's Friday coming., not this Friday,
5122 the following Friday, they're gonna give them out starting at 7:30 in the morning, they're
5123 gonna give out the bicycles from 7:30 to 2:00 o'clock. We're gonna have the bicycles
5124 registered to each of the kids. They're gonna do preregistrations to receive the bicycles.
5125 In other words, we're gonna have it timed so that we're not getting everybody all together.
5126 We're gonna encourage them to have masks. Masks., matter of fact, masks are gonna
5127 be mandatory. We might have a few walkups, so as we go through this event, we., and
5128 if Aladia is on, I'll have her to talk about the Park & Recreation but the parents or the
5129 guardians, they would drive up in their cars and put their driver's license on the dash,
5130 we're gonna request them to stay in the car and we'll roll the bicycles out to the parents
5131 and get them registered and they can get the bicycles. We're gonna have monitors

5132 spaced throughout the, the ride along, and throughout the park for them. They're gonna
5133 give us different directions. The would be strategically throughout the whole City while
5134 they're doing the ride along.

5135 If the weather.., if we have any inclement weather, we're gonna have a tent out so
5136 they can.., our youth can go under the tent. It's gonna be about a thirty by forty foot tent.
5137 And then maybe we can put the tent out anyway because it may just be hot. We're gonna
5138 encourage social distancing. Again, we're gonna have masks mandatory and we're
5139 gonna also talk to them, this is no horse playing. We don't g'.., want anybody to get hurt
5140 along the ride along. So that's gonna be on Ju'.., July 10th, to give out the bicycles. The
5141 following day is the ride long, Sat'.., Saturday, will be July 11th.

5142 Thank you. And, and again, this is all Abe Elam and Jacoby Brissett.

5143 **Councilperson Lanier:** Right. Madam Chair?

5144 **Chairperson Botel:** Yes.

5145 **Councilperson Lanier:** I just wanted, I just wanted to ask, and I, and I'm sure, Chief,
5146 especially me knowing your work that, you know, this is gonna be a great event and you're
5147 gonna try and, and promote as much safety as possible, but wouldn't, wouldn't it be
5148 prudent, you know, given the high number of cases that we got, that people preregister
5149 and have people staggered to come and get the bicycles? Instead of having everybody
5150 come at one time. It'll kinda, kinda be a little chaotic but if you can have people to
5151 preregister and then have them staggered to come and pick up what they need to pick
5152 up. Because I, I really don't wanna have people just to come all the way up and then,
5153 you know, you have this whole crowd of people. And if you're giving away bicycles, you're
5154 gonna have a crowd regardless. So, if they preregister...

5155 [Inaudible comment]

5156 **Councilperson Lanier:** ...and you stagger the time, maybe it'll be better for the social
5157 distancing and not being able to... And especially your, with your Staff. We don't want
5158 to put them in a position where it's a bunch of people around them and they're trying to
5159 kinda keep the peace, you know, because you're giving away something free.

5160 **Police Chief Osgood:** Yes, ma'am. You're, you're a hundred percent right, Council
5161 woman. They, they.., all of our registered are gonna preregister and we're gonna give
5162 them a time. We're gonna.., so, we're gonna call it Block A, they're gonna be [audio
5163 skipped] registered come in at a certain time to get those bicycles. Then wait, and then
5164 we're gonna have another block to come in, [inaudible] of the registered... We're gonna
5165 give them a time. As a matter act, as of two days ago, we had a hundred and thirty kids
5166 registered for bicycles.

5167 **Unk.:** [Inaudible].

5168 **Police Chief Osgood:** So, registration's already going on.

5169 **Councilperson Lanier:** Okay good, good. I, I just, I just.., the only reason I'm
5170 concerned, anybody who is in.., on, on this.., who's listening and who's a part of social
5171 media, see people still hugged up, and see people still taking selfies and people still, you
5172 know, having these events and I'm just really, really worried about Riviera Beach in terms
5173 of, you know, social distancing and given the fact that our numbers are astronomical now,
5174 that we, we provide as much caution as we can to be able to ensure that we're putting
5175 our Staff and the people who are providing these bicycles with the less risk as possible.

5176 **Chairperson Botel:** Ms. Miller-Anderson.

5177 **Councilperson Miller-Anderson:** When the Public Safety Committee met on last
5178 week, we did have a discussion regarding that. That was a concern in terms of, you
5179 know, a large amount of people coming. And so, Chief Osgood and Chief Curd.., and
5180 Chief Curd, I, I believe was going to kind of weigh in a little more on that because that
5181 was a concern of ours. We want to.., they wanna do it and we want them to do it but we
5182 don't want to be a part of the problem, you know, in terms of having a large gathering.
5183 And so, we talked about ha'.., and that's where the block came up. So, we're definitely
5184 taking that in consideration regarding COVID because we don't want to, you know, say
5185 one thing and do another. So that certainly is something the Public Safety Committee
5186 discussed.

5187 Thank you.

5188 **Councilperson Lanier:** And, and, and, and Madam Chair, I just wanted to say too, I
5189 just wanted to add, and, and make this too, as Mr. Lawson's event, make this too an
5190 opportunity to educate and promote safe distancing and masks and make this the
5191 opportunity to do that as well.

5192 **Councilperson Miller-Anderson:** Yeah.

5193 **Councilperson Lanier:** Thank you.

5194 **Councilperson Miller-Anderson:** Dur'... [Stammer] Chief Curd said that he was
5195 going to be giving out kits and maybe he can just mention about what's in the kits, the,
5196 the COVID kits, will be a part of it as well?

5197 **Chairperson Botel:** Thank you.

5198 **City Manager Evans:** Yes, Madam Chair. If, if Chief Curd can provide some insight
5199 with regards to Public Safety from a health perspective because he has been tracking it,
5200 the, the virus, since the inception of our activation. So he's gonna provide you a little bit
5201 of insight of what we're gonna do to ensure that this is safe.

5202 [Pause]

5203 **Interim Fire Chief Curd:** Can anyone hear me?

5204 **Chairperson Botel:** Yes. Now we can.

5205 **Interim Fire Chief Curd:** First and foremost, I, I want to express my concerns and, and
5206 Ms. Lanier, Ms. Miller-Anderson, you understand where my passions are about what's
5207 going on and [audio skipped] education and safety. This event has actually more.., two
5208 or three different times since its inception. Two to three weeks ago when we began to
5209 have these conversations, Abe says we're on the decline, it was a different world three
5210 weeks ago than what it is today. So, we, we looked at the plan, and I'm very confident in
5211 Ms. Frank's and Chief Osgood's plan. We've actually built upon that plan, where we've
5212 actually been able to, excuse me, obtain Stop the Spread Kits that we're gonna be
5213 passing out. Those kits contain mask, that are adjustable in size [inaudible] and adults.
5214 They also contain hand sanitizer, and they also have literature that kind of gives a little
5215 bit of educational material behind COVID and, and stopping the spread.

5216 Yes, Mr. Lawson, were you going to say something?

5217 **Chair Pro Tem Lawson:** No, no. I was just asking, Madam Chair, just to speak after
5218 you're done, Chief Curd. Go ahead.

5219 **Interim Fire Chief Curd:** Okay. So, we, we are definitely taking every action possible.
5220 I, I am, you know, wanting to make sure we stay on top of this. The last thing we wanna
5221 do is create a super spreader event. We gotta make sure that we have the personnel.
5222 Chief Osgood, I think, has a great team in place, where they're gonna be having those
5223 distribution times spread out over the day. Unfortunately, it'll be a little more labor
5224 intensive for his people to be out there all day, but I think it's the safe thing to do, and I
5225 think we can do this and do this safely. And we're, we're gonna continue to monitor this,
5226 right up to the day of the event to make sure that it goes off without a hitch for our, our
5227 children and our community.

5228 **Chairperson Botel:** Thank you. Mr. Lawson.

5229 **Chair Pro Tem Lawson:** Madam...

5230 **Chairperson Botel:** Yes.

5231 **Chair Pro Tem Lawson:** Thank you, Madam Chair. And, colleagues, I just wanted to
5232 let you know that I've, I've been in communication with Ms. Franks and Chief Osgood in
5233 reference to the Grad Bash.., the Grad Night event that we're planning on hosting and the
5234 only hesitation that we had for our seniors was that it wasn't able to be able to control
5235 where the seniors are going if we hosted it at the Rapids, social distancing and literally it
5236 would be a free for all. The, the idea that they put in place for this bike ride is completely..,
5237 is, is scheduled, it's gonna be social distancing. It's a great program and plan. I think it's
5238 necessary because these kids are drastically and desperately being affected, so we have
5239 to kind of give them something. So, allowing for Staff to kinda give them the, the.., give
5240 out the bikes with the organization of the Elam Foundation and Jacoby Brissett, I think is
5241 gonna be amazing for these kids. To see these athletes that have made it from this
5242 community, to see some of the City leaders out there giving out the bikes, and still kind
5243 of getting an opportunity to get out of the house and ride a bike, I think it's gonna be a

5244 great program that I want us to support. So, I'll definitely be out there with my bike and
5245 helmet. No barb from Councilman McCoy.

5246 **Chairperson Botel:** That, that, that was...

5247 **Councilperson Lanier:** Madam Chair? [Chuckle].

5248 **Chairperson Botel:** I had one quick question. Chief, will..., I, I had a nice
5249 conversation with Mr. Elam and Mr. Brissett yesterday or today and I, I love this idea. I
5250 have a couple of questions. Will they be giving them helmets?

5251 **Interim Fire Chief Curd:** Yes, ma'am.

5252 **City Manager Evans:** Yes.

5253 **Interim Fire Chief Curd:** We, we have helmets to give out to all the riders.

5254 **Chairperson Botel:** Great. Okay. And, how..., where is the route going to be? Is
5255 it appropriate for seventy-two year old bike riders or is it gonna be like fifty-five miles, or
5256 is it gonna be around some corner? I mean, [stammer]...

5257 **Interim Fire Chief Curd:** We're gonna keep it in the community. We're gonna start off
5258 at Dan Calloway Park, we're gonna ride up 13th Street, I believe up Avenue R. We're
5259 gonna go across from 13th Street and we got..., we're working on rerouting our, our map
5260 so I don't wanna give a, a complete route but we're gonna cross Blue Heron and then
5261 ride through a couple [inaudible] over there, then back around to take it back over down
5262 Avenue..., up Avenue S and perhaps..., I think down Blue and up Avenue O, back down to
5263 13th..., correction, 13th maybe, and then back to Dan Calloway...

5264 **Chairperson Botel:** It's not terribly long.

5265 **City Manager Evans:** [Chuckle].,

5266 **Interim Fire Chief Curd:** It's not a long ride at all.

5267 **Chairperson Botel:** I think Mr. McCoy wants to ride an adult tricycle, will that be
5268 allowed?

5269 **Councilperson Miller-Anderson:** That sounds long to me.,

5270 [Chuckles]

5271 **Interim Fire Chief Curd:** And, and it's not a long ride. And what we're doing,, it's gonna
5272 be more of a slow ride and we're gonna space it out in heats.

5273 **Chairperson Botel:** Okay. Good. They're not all bunched together.

5274 **Interim Fire Chief Curd:** That's correct.

5275 **Councilperson Lanier:** Right.

5276 **Chairperson Botel:** I, I only want to say one...

5277 **Councilperson Lanier:** I just wanted to ask...

5278 **Chairperson Botel:** Go ahead, Ms. Lanier.

5279 **Councilperson Lanier:** I just wanted to ask... I just wanted to ask right quick, I wanted
5280 to.., 'cause, of course, my concern is the.., and Chief Curd knows, the idea of it being a
5281 super spreader type of event that we just cannot have, I just wanted to know how can we
5282 have people, you know, to commit to soc'.., social distancing.., social distancing,
5283 committing to wearing a mask? You know, some type of, I don't know how we can do it
5284 because now registration's already happened but maybe, you know, like, maybe our next
5285 event. During registration, that people, you know, check a box and say I commit to social
5286 distancing, I commit to wearing a mask, I commit to... And then now you can get a bag
5287 because you committed to all these beautiful things. Something like that.

5288 **Interim Fire Chief Curd:** And, and Councilwoman, you're a hundred percent right and
5289 we're, we're really stressing the importance of the CDC guidelines and the safety of
5290 COVID-19, and we will, we will be shouting, basically, put your mask on, wear your mask,
5291 stay your social distancing. And on our whole homage form that all the kids and the
5292 parents and guardians sign it, it talks about COVID-19, wear your mask, social distancing.
5293 And on our flyers, on the registration, it talks about all the, the, the things we need to know
5294 as far as staying safe with your.., keep your distance, wear your mask.

5295 **Councilperson Lanier:** [Stammer]... Yes.

5296 **Interim Fire Chief Curd:** Yeah. That's about [inaudible] the next days throughout this.

5297 **Councilperson Lanier:** I totally agree and I think that, from this point moving forward,
5298 with a bike run, with a, with a Bag that Mr., [stammer], Councilman Lawson is doing, that
5299 it has a COVID-19 theme. You know, the bike run for COVID-19, the Grad Bag for
5300 COVID-19, so that we can promote public health in these spaces because people are
5301 going to come out. People are tired of being at home. They're gonna come out
5302 regardless, so this could be an opportunity for not only for us to connect with the
5303 community but also for us to promote safe distancing, and, and wearing masks and
5304 COVID-19 procedures and, and, and, and policies to the CDC. Just wanted to say that
5305 part.

5306 **Chairperson Botel:** Thank you.

5307 **Interim Fire Chief Curd:** Thank you.

5308 **Chairperson Botel:** I just want.., I just wanna say that Jacoby is a Singer Island
5309 resident. Just saying.

5310 [Chuckles]

5311 **Chairperson Botel:** There was one other really serious thing I wanted... Oh, I
5312 know. I think it's important because people are accusing some of us of, you know, how
5313 wrong I was to take a knee, how wrong... How could I? And I think it's really important
5314 that people understand that there's no.., that's there's.., there's no.., it's not a black and
5315 white issue. [Stammer] didn't meant to say it that way but , but you can si'.., you can...
5316 well, on the one hand take a knee and still be in support of our police officers. They're
5317 not mutually exclusively. It's, it's okay to say that I support the Black Lives Matter
5318 movement, at the same time, I support our police. That's.., and I think this is an
5319 opportunity to say that.

5320 That's all I wanna say about that.

5321 **Councilperson Lanier:** And also, please, just add.., just quickly, just add for those
5322 people who are coming to both of these events, where they can get tested.

5323 **Chairperson Botel:** Yes. Okay. Anything else, Mr. Evans? Thank you again,
5324 Mr., Chief Osgood. Thank you again, Chief Curd.

5325 **City Manager Evans:** I, I think the Mayor had.., the Mayor had something to say.

5326 **Chairperson Botel:** Oh, I'm sorry. Mayor.., Mayor Felder.

5327 **Councilperson McCoy:** Let me...

5328 **Chairperson Botel:** And then Mr. McCoy.

5329 **Mayor Felder:** I think Mr. McCoy was first.., Councilman McCoy.

5330 **Chairperson Botel:** Oh. Mr. McCoy.

5331 **Councilperson McCoy:** You know what? Mayor, you, like...

5332 **Chairperson Botel:** He's gonna yield. I know it, it's coming. He's gonna yield to
5333 you. Go ahead, Mr. Mayor.

5334 **Councilperson McCoy:** [Inaudible] for the rest of the night, if you tell me so.

5335 **Chairperson Botel:** [Chuckle]. Mayor Felder.

5336 **Councilperson McCoy:** [Inaudible] got to say, you go ahead first, Mayor.

5337 **Mayor Felder:** No., I just wanna give a shout out to Abe and Jacoby. And, one of
5338 the things I think we should, we should look at, you know, these guys have come through
5339 this community and made it, and just to support them.., so, I'm just thankful for all you
5340 guys, standing behind them and supporting their efforts. Because one thing I know,
5341 [inaudible] these guys when I first got elected is, they want to give back to our community.
5342 They don't wanna get too political, and I think as much as we can get behind them in their
5343 efforts, what they're doing and kinda highlight them in what they're doing for our

5344 community, whether it's our kids, our seniors, whatever. You know, [inaudible] really be
5345 partners. And one of their things was to really come out and invite the Council and the
5346 Board to show unity to our, to our kids. I think that's very important, that we, we, you
5347 know, we keep the highlight on them because it is their event and I think they invited us
5348 in, to be a part, to show with everything that's going on in this world, that we are a City
5349 that's unified. So, you know, shout out to you guys for, for supporting them but Abe and
5350 Jacoby, keep doing what you're doing, man. You are a highlight in our City.

5351 Thank you.

5352 **Chairperson Botel:** Thank you, Mayor.

5353 **Police Chief Osgood:** Yeah. I wanna, I wanna echo that. And, Jacoby and Abe
5354 didn't even want their name on any of the advertising or flyers. They, they just..., they just
5355 said they wanna give..., buy some bicycles and give them out. And that's all they asked
5356 for. And they said we don't have to say it came from us. I..., and so, they were humble
5357 about it. They just wanna do this for the kids and youth and help bridge the, the
5358 community and the police together. And I appreciate it so much.

5359 **Chairperson Botel:** Mr. McCoy and then Ms. Miller-Anderson.

5360 **Councilperson McCoy:** Chief, if I'm not mistaken, I thought they were the ones that
5361 actually created the publication and the flyers, so their name is, in fact, on it.

5362 **Police Chief Osgood:** No, no.,

5363 **Chairperson Botel:** It is.

5364 **Police Chief Osgood:** I asked them, I asked them to put their names on it. I said,
5365 'Hey listen, you want the community to know this is coming from you.' So, it was a
5366 [inaudible] encouraging from my..., from, from me. Yeah. Their name is on the publication
5367 and flyers but it was me requesting that you put it on there. I said, 'This is your event.
5368 You should go ahead and advertise your, your name, put your...' And, and they very
5369 humble said, 'We don't need that. I'm not doing this for that. I just wanna do this for the
5370 kids.'

5371 **Councilperson McCoy:** Well, thank you, Chief. I'm a professional skeptic and I'm a
5372 father of a five year old. In fact, Members, he turned six on Friday and I can't even believe
5373 it. But I'm not so optimistic.

5374 **Councilperson Lanier:** Well, happy birthday.

5375 **Chairperson Botel:** Happy birthday to him.

5376 **Councilperson McCoy:** It's amazing...

5377 **Chairperson Botel:** My favorite McCoy.

5378 **Councilperson McCoy:** I'll tell him. But Chief, here's the..., a couple things that I didn't
5379 know 'cause I, I, I..., Members, I met with..., I kinda didn't meet, I, I really raided a meeting
5380 that I wasn't invited to on Monday, but it appeared that there have been some
5381 developments since Monday. My first question is, I need more than you telling me that
5382 the ride is developing and there are some hazards that I've shared with the Mayor that I
5383 need to know exactly, before I can sit here in a, in a meeting and say that it's okay.
5384 Because if I don't agree, I'm gonna tell you right now on the record, because I don't wanna
5385 be the person to say that I told you so. But in fact, in my heart, that's what truly I mean
5386 but I'm not gonna tell you. But I really need to know better than that, because I have
5387 some concerns. Because, first of all, if we're giving out bikes, right, I would much rather
5388 us give out bikes and be done with it. But the bike ride part of it, creates a whole other
5389 issue, Chief. And, I, I know we got..., Chief Curd on that has committed a unit to this but
5390 I don't feel comfortable with giving people, or kids a bicycle for the first time and asking
5391 them to take a five mile bike ride. That's not gonna work. So, if we're gonna give them
5392 the bike, we should just give it to them. This shouldn't be connected with a bike ride.
5393 That's the first thing.

5394 The route is the second thing. So I would love to see [inaudible] comments first,
5395 and then I'll continue.

5396 **Police Chief Osgood:** I'm sorry. You said you wanna hear a comment first?

5397 **Councilperson McCoy:** I want you to respond to the, the route and...

5398 **Police Chief Osgood:** Okay.

5399 **Councilperson McCoy:** ...the provisions of the route, as to how long we're gonna put
5400 a kid on a bike to tell them to go for a ride.

5401 **Police Chief Osgood:** Alright. So, let's talk about the route that you said. The route
5402 was initially laid out and once you point out some concerns about the route being on, I
5403 think, 25th Street..., 25th Street. And, we sent Sergeant Fashaw back to the drawing board
5404 to come up with a new route, as far as once we come over to north of Blue Heron. So, to
5405 have a..., to give you a definitive route right now, I do not have it. As far as giving out the
5406 bicycles, again, this is Abe Elam and Jacoby Brissett, these are their bicycles, they bought
5407 them and they just say they wanna give out the bicycles. And, and they wanna ride along.
5408 And one of the questions came up, we didn't stop protestors from walking in any direction
5409 they wanted to, how can we stop bicyclists? That's what they ask. The protestors were
5410 being, some of them were not so friendly, not necessarily violent but not friendly. This is
5411 a friendly, peaceful ride. And so, they're saying, so what's the difference between a bike
5412 ride and walking?

5413 **Councilperson McCoy:** I'll tell you. We didn't, as a City, coordinator or co-sponsor a
5414 protest. We just respected individual's..., individual rights or collective rights to freedom
5415 of speech and assembly. But, you're not gonna put the City of Riviera Beach's name on
5416 any flyer, while I'm the Member of the Board, unless I feel comfortable that everybody on
5417 the body, and Administration, has approved. I'm, I'm looking to see, Ms. Wynn? She

5418 went to the restroom but we'll wait 'til she gets back, but clearly, Members, and Chief, I'm
5419 the one they love to hate and welcome to City of Riviera Beach but, Chief, you're not
5420 gonna tell me you're gonna send kids on a bike that never rode before and send them
5421 from the north end, or from... Hold on, hold on, Mr. Evans. From, like, you gotta give me
5422 something better than that.

5423 Additionally, I'm looking for the, the.., Ms. Wynn to give me something about
5424 mismanagement and making sure that we are covered from the standpoint of liability. So,
5425 Chief...

5426 **Police Chief Osgood:** I can talk a little bit about the liability. The liability is paid for
5427 by Abe Elam and Jacoby Brissett. They took out insurance for the bike ride and the
5428 giveaway of the bicycles. And again, this is their event. We're not doing anything as far
5429 as sponsoring it, we're not running it. We're helping facilitate it, we're gonna be out there
5430 for safety and for the fun of it. And I even asked how many police officers are willing to
5431 do this off duty. Every hand went up, including mine. I'll do it off duty if I have to.

5432 **Councilperson McCoy:** As will I, Chief. There is...

5433 **Chairperson Botel:** Well, Mr...

5434 **Councilperson McCoy:** ...[inaudible] that we have to address. So, I wanna allow Mr.
5435 Evans to answer and I got a few more questions.

5436 **City Manager Evans:** There, there's nothing that..., there's nothing that requires the
5437 kids to ride in the ride. If the.., if the kid comes, the child comes and wants to collect the
5438 bike and go home, they are permitted to do that. If they want to participate in the ride,
5439 they are more than welcome to do that as well. But there's no caveat that says in order
5440 to get the bike, you have to participate in the ride. As it stands right now, we're planning
5441 for five hundred but anyone that's had any conversation with Mr. Elam or Mr. Brissett will
5442 know that they're having a challenge in getting the additional bikes. So, it may have...
5443 you may see a situation where there's, you know, two hundred or two hundred and fifty,
5444 where I would say probably a small fraction of that group is going to end up riding
5445 because, invariably, there may be parents that say, you know, 'I prefer for them to ride at
5446 home, or, 'I don't want them to be riding their bicycles.' So, we are acutely aware of that.
5447 We are obviously having waivers executed to indemnify the City, as well as making sure
5448 that, you know, the event organizers have their own insurance. And I don't think there's
5449 anything that precludes them from pulling up into a park and unloading those bikes without
5450 us being involved either.

5451 **Councilperson McCoy:** Oh really? Well, I've had.., the City of Riviera Beach literally
5452 tell people that they couldn't accumulate or assemble without a special event permit. Mr.
5453 Evans, I'm not even gonna ask you to answer that because, clearly, that would be
5454 contradictory to things that I know I've personally seen. But, I wanna talk to Ms. Wynn
5455 about indemnification. Ms. Wynn, have you reviewed any certificates of insurance relative
5456 to this? Because, on Monday, I did have a conversation with Mr. Evans that you would
5457 be the person [inaudible]. So, can you talk to us about indemnification?

5458 **City Attorney Wynn:** I have not reviewed any certificate of..., certificates of
5459 insurance as of yet.

5460 **Councilperson McCoy:** It must be...

5461 **City Attorney Wynn:** I...

5462 **Councilperson McCoy:** ...[inaudible].

5463 **City Attorney Wynn:** No. I understood that there was an issue and that they were
5464 making corrections, so I'm waiting on that. Currently, I do have the Release and Waiver
5465 of Liability, that I received today, that I'm reviewing. I'm about halfway through that.

5466 **Councilperson McCoy:** Okay. I wanna get, before this happens, an absolute budget
5467 of staffing. Because what we gotta remember, Members, I actually [inaudible] a word that
5468 I didn't really know about until I looked it up and I, I kinda feel a little ashamed to just
5469 figuring this out, but one of the Managers noticed this..., came in the month of April, that
5470 talked about the upcoming budget and I wanna see if we can have exactly what the
5471 budgeted staffing time, cost in terms of dollars. Because, Members, you better remember
5472 that we did not plan for COVID-19. We did not plan for the pandemic pay, or the pandemic
5473 pay policy. And we are way above. So, we are literally about to next month, undertake
5474 a conversation called the budget process for the new fiscal year. And the Manger, if you
5475 haven't noticed, I already indicated that this is gonna be a tight budget. And the definition
5476 that the Manager gave pretty much described that there's gonna be an increase in taxes,
5477 and a decrease in [stammer], in expenses, meaning wages and salaries. So, if you don't
5478 think it's serious, I want you guys to be the ones that tell people we can have fun now but
5479 there's gonna be a handful of you that's not gonna have a job come October 1st. And I'm
5480 not comfortable having a, a organization where we can make these kinds of decisions in
5481 a vacuum without having legislative approval of time and time again where we're adding
5482 things to the budget, that didn't exist before and didn't have any kind of fiscal oversight.
5483 But this kinda issues, is what drives this organization to being [inaudible], like, at least
5484 one in particular in South Florida that I've seen where it was actually moved into
5485 receivership by the Office of the Executive Governor. So, we can have fun now but it's...,
5486 there are consequences. And, and I literally gotta tell you, that this is something that we
5487 didn't plan for and we were specifically asked that we cancel our personal events and City
5488 co-sponsored events. So, Mr. Osgood, did state that this was a Abe Elam and Jacoby
5489 Brissett event but if we're putting our people on the ground, it comes with a cost. And
5490 let's not find out after it's done. I think this is something that we need, as a Memb'..., as
5491 Members because our only duty, if I can remind you, under the Constitution, is to pass a
5492 balanced budget. I know, you know, I, I don't get a lotta likes for this, and that's alright.
5493 But, generally, I would much rather have this tough conversation before than to see
5494 somebody filing for unemployment later.

5495 **City Manager Evans:** Madam...

5496 **Councilperson McCoy:** So, I want...

5497 **City Manager Evans:** ...Chair, if I may?

5498 **Chairperson Botel:** Mr. Evans.

5499 **City Manager Evans:** I never put out an..., any correspondence that contemplated
5500 increase in taxes because...

5501 **Councilperson McCoy:** [Inaudible].

5502 **City Manager Evans:** ...that's not some'... That, that's not something that was a,
5503 a., I said., if I said anything, it was talking about what options would have to be available
5504 but not that it would be something that the Fiscal Year 2021 budget is predicated on
5505 because, personally, we are going through right now, budget exercises, that are looking
5506 to right size our spending to bring a budget that actually is lower than the previous budget
5507 that was adopted.

5508 But, nonetheless, the, the event and the activity, there is no additional cost
5509 associated with it because the monies for staffing have already been appropriated in the
5510 Fiscal Year 2020 budget. How the Chief is gonna accommodate it, is he's going to shift
5511 shifts around to be able to have the staffing complement to support the event. The
5512 protests that occurred in our community cost us \$33,000 every event. And we were able
5513 to do that with monies that are already budgeted in our Fiscal Year 202 budget.

5514 So, obviously, to do something that can conceivably bridge the gap and having...,
5515 there's nothing that stops them, if they were to go to any particular parking lot and open
5516 up a U-Haul and give those bikes away. There's nothing. We're trying to assist in
5517 facilitating that and trying to accommodate doing it safely and responsibly, and doing it
5518 for a lot less than the situations when we had the protests in our community. So, we want
5519 it to be on the front end with the coordination efforts versus something that somebody
5520 goes and does an event and we find out after the fact.

5521 **Councilperson McCoy:** Okay.

5522 **Chairperson Botel:** Thank you. Thank you, Mr. Evans. So, do you need us, Mr.
5523 Evans, to make a motion to...

5524 **Councilperson McCoy:** [Inaudible].

5525 **Chairperson Botel:** ...is there..., is there something...

5526 **Councilperson McCoy:** [Inaudible].

5527 **Chairperson Botel:** ...that we need to do...

5528 **Councilperson McCoy:** ...[inaudible] ignore me. That's fine.

5529 **Chairperson Botel:** I'm sorry. I'm sorry,

5530 **Councilperson McCoy:** [Inaudible].

5531 **Chairperson Botel:** ...Mr. McCoy.

5532 **Councilperson McCoy:** That exactly what was [inaudible]...

5533 **Chairperson Botel:** I'm sorry, Mr. McCoy. I thought you had said everything you
5534 wanted to say.

5535 **Councilperson McCoy:** I'm not done.

5536 **Chairperson Botel:** Please go ahead. Go right ahead.

5537 **Councilperson McCoy:** [Inaudible] exactly what was sent in the April 27th memo. You
5538 don't like me, do you?

5539 **Chairperson Botel:** Who? Me?

5540 **Councilperson McCoy:** Yeah.

5541 **Chairperson Botel:** Or him?

5542 **Councilperson McCoy:** I wanna, I wanna, I wanna make...

5543 **Chairperson Botel:** [Chuckle]. Go right ahead. No. Mr. McCoy, you know that's
5544 not true.

5545 **Councilperson McCoy:** Because I, I tell you, all I can do is the right thing and if we
5546 don't even agree, I feel comfortable knowing that I shared it with you. Because I don't
5547 wanna be the one that has to tell those people... Hold on. I'm gonna get it right here. I
5548 got it up. Give me one second. And perhaps you guys can..., we, we may have to Google
5549 this.

5550 **Councilperson Lanier:** Let, let me ask this. We can do..., we can have a permit for an
5551 event in a park, right? [Pause]. I mean, I'm just asking...

5552 **City Manager Evans:** We...

5553 **Councilperson Lanier:** ...a question. We, we can, we can, we can get a permit for a
5554 park..., for an event at a park. I mean...

5555 **Police Chief Osgood:** That's correct.

5556 **City Manager Evans:** And we allowed for the local businesses to expand their
5557 seating out into City rights-of-way that conceivably can have a larger crowd than the
5558 numbers that we're talking here. So, we...

5559 **Councilperson Lanier:** Right. So...

5560 **City Manager Evans:** ...did provide for that.

5561 **Councilperson Lanier:** Yeah. So, Mr. Elam can just get a permit for a park and pass
5562 them out. If he wanted to.

5563 **Chairperson Botel:** I, I still have a question for Mr. Evans. Mr. Evans, did you
5564 want us to make a.., do we have to act as a body to approve this event or is this event
5565 gonna happen and, and we're supporting it individually? How, how would you.., how do
5566 we need to proceed from your point of view?

5567 **City Manager Evans:** [Stammer] for, for us, personally, that their.., it is their event.
5568 We're bringing the event to the, to the attention of the Board, and to see if there's any
5569 [stammer] heartburn or concerns related to the event, to get any direction or any insight
5570 as to how you would like for us to work with the event organizers to facilitate the event.
5571 But there is no legislative action that is required from the Board to move forward.

5572 **Chairperson Botel:** Okay. So...

5573 **Councilperson Lanier:** And, and, Madam Chair? The only thing...

5574 **Chairperson Botel:** Yes.

5575 **Councilperson Lanier:** ...that I suggested and wanted, is to make sure there's a
5576 Public Health component to it, to be able to educate people about COVID-19 and make
5577 that the theme for them providing bikes and for the bike ride.

5578 **Chairperson Botel:** Okay.

5579 **Councilperson McCoy:** So, are we making a City co-sponsored event because that
5580 seems a little different because the Chief said that it's not ours.

5581 **Chairperson Botel:** [Stammer] who's gonna answer that? Mr. Evans or Chief
5582 Osgood? Is it a...

5583 **Police Chief Osgood:** I, I can answer it.

5584 **Chairperson Botel:** ...co-s'.., are we co-s'... Go ahead.

5585 **Police Chief Osgood:** No. I'm sorry. So, this is not a co-sponsored event. We're
5586 helping them out. If you wanna, I guess, [inaudible] with some magic words, yes, we are
5587 helping them out from a police standpoint. I'm honored to be able to say, 'I'm helping out
5588 kids. I'm helping out men who wants to help out kids. And, if they wanna put my name
5589 on that to say the police is helping out the kids,' by all means, do it. I.., they're bridging
5590 a, a a, a huge gap. Instead of protesting and causing a problem, they're bringing kids
5591 together to say, 'Hey, Mr. Police Officer,...' Again, the biggest role model in these men'
5592 lives, as coming up, were police officers. And they named names, starting with Dan
5593 Calloway, which is why they want to start at that park. But if we're telling them that they
5594 cannot start at that park, we're gonna say kids and Mr. Abe Elam and Jacoby, again, take
5595 a parking lot somewhere and give out your bicycles. I've been given different...

5596 **Councilperson Lanier:** [Stammer].

5597 **Police Chief Osgood:** But it's not...

5598 **Councilperson Lanier:** You know what?

5599 **Police Chief Osgood:** ...gonna stop... It's not gonna stop me or some of the officers
5600 on our time off to go out and ride along with them.

5601 **Councilperson Lanier:** Well...

5602 **City Manager Evans:** [Stammer]...

5603 **Councilperson Lanier:** ...the thing about is that... Let me ask you this. Let me say
5604 this right quick, Mr. Evans. The thing about it is that I don't think that protesting is a
5605 problem. That's the first thing. Second of all, if we're setting up tents and having City
5606 Staff involved, it is a City sponsored event, which I have no problem with. I mean, call it
5607 what it is, and it's a, it is a City sponsored event. A co-sponsored event. Okay?

5608 **City Manager Evans:** Well, we..., we've actually..., and originally when it was
5609 discussed, there was the opportunity for tents and, and people congregating and we have
5610 stripped those elements out of it to ensure that it is the bike distribution and it is a bike
5611 ride.

5612 The, the other side of it is that this event has an opportunity..., the, the Colts are
5613 actually sending their film production team and there is local press that is following this.
5614 So this gives an opportunity for us to create a different narrative in our community. And
5615 so, you can't put a value on having the conversation that needs to occur between law
5616 enforcement in the community and effectively bridging that gap. Nobody's requiring Little
5617 Johnnie to have to ride the bike. If he wants to go home with mom, he goes home with
5618 mom and dad, and that's it. If the kids wants to participate with a bike, you know, and,
5619 and ride... This is also Chief Osgood, and he didn't say this, this is his introduction to
5620 community policing and showing the community the new bikes that they have acquired
5621 that will be in the community. So, this is something that is a showcase of law enforcement
5622 out and about in the community. So, it's a lot more to it than just a bike ride, it's a
5623 symbolism of, 'Hey, we're going to have these kids in the middle while they're surrounded
5624 by influential male figures and female figures around them to say this community will
5625 always protect you and look out for you. And establish that relationship. And so, I think
5626 it is a good thing for us to move forward.

5627 Mr. Mayor.

5628 **Chairperson Botel:** Thank you, Mr. Evans. Mr. Mayor.

5629 **Mayor Felder:** With all due respect, man, I mean... Let's not make it where these
5630 guys don't wanna do anything in their community.

5631 **Chairperson Botel:** I know.

5632 **Mayor Felder:** You know, I, I think, I think to spend that much time on some, on
5633 some guys that can go anywhere and spend their money, wanna come back home, spend
5634 their money at home and we have to go through this. You know, it makes me not., it
5635 would make me not even wanna do nothing in my City. And this is what these guys have
5636 been facing for years. Yeah, we're, we're..., man, we're grownups, man. It don't take us
5637 this long to know what's going on. And to put them in the mix like this because they
5638 wanna come home and do something for our kids, everything that we're going through, I
5639 think is ridiculous. I think this whole thing's ridiculous right now 'cause these guys are,
5640 are..., they're watching us, they're products of this community that wants to come back
5641 and give back, when they can go anywhere else and people will, will receive them. Why
5642 are we doing this? Why are we making them go through this process because they wanna
5643 come do something with our kids, which they gonna have volunteers out there watching
5644 these kids, and we're making a big issue. This is why people are upset with us, ya'll. This
5645 is why our constituents are upset with us. It doesn't matter, you know, if we wanna get
5646 on here act like we got everything right and we... Man, [stammer]..., peo'..., people..., most
5647 of the people right now are going to bed because I'm getting..., I'm gonna get emails and
5648 texts all day tomorrow about, you know, how wrong we went. And, and we think we're
5649 doing something. People are being upset with us right now. If we can't make a simple
5650 decision about a group of men that wanna come, buy our kids some bicycles and ride off.

5651 I know, Tradrick, I'm with you, man, in the budget and what we have to do.

5652 **Councilperson McCoy:** It's Councilman McCoy. I never refer to you...

5653 **Mayor Felder:** [Inaudible].

5654 **Councilperson McCoy:** I, I would expect you to extend the courtesy.

5655 **Mayor Felder:** [Stammer], wait. Let me talk, man, 'cause I, I'm the least that talk on
5656 this Board. So respect that, man.

5657 **Councilperson McCoy:** [Inaudible].

5658 **Mayor Felder:** Hey, I'm the least talker on this... I never talk when you're talking,
5659 man. I never [inaudible] respect when you talk.

5660 **Councilperson McCoy:** [Inaudible] absolute disrespectful.

5661 **Mayor Felder:** You call my name, you call my name, I don't say nothing.

5662 **Councilperson McCoy:** I always referred to you as Mayor.

5663 **Chairperson Botel:** Councilman...

5664 **Mayor Felder:** Call my name, I don't say nothing. I'm not, I'm not going to go
5665 through that 'cause that's not even me. I'm here to say, let's move forward, man. Do
5666 what you all are gonna do so we can go... Let these men go to bed that's here watching

5667 to see what kinda moves you're gonna make. Let's move forward, man. Enough of this
5668 childish stuff.

5669 **Chairperson Botel:** Mr. Evans.

5670 **Councilperson McCoy:** Childish.

5671 **Mayor Felder:** And then let's go. [Inaudible].

5672 **Councilperson McCoy:** I'm not...

5673 **Mayor Felder:** [Inaudible] time for him to be on his computer trying to find something
5674 out. We're here discussing are we gonna let them do the bicycle ride [inaudible]. Why
5675 are we being held hostage?

5676 **Chairperson Botel:** Mr. Evans...

5677 **Mayor Felder:** Make a decision, man, and let's go.

5678 **Councilperson Lanier:** Madam Chair, can I say one thing, please?

5679 **Chairperson Botel:** Yes.

5680 **Councilperson Lanier:** Let me say one, one thing to Mr., Mr., Councilman McCoy's
5681 defense. All he's asking, I think, correct me if I'm wrong, Mr., Councilman McCoy, all
5682 he's asking is to say, listen, if it's a City sponsored event, then say so. I mean, if the City's
5683 gonna sponsor..., co-sponsor this event, then fine.

5684 **Mayor Felder:** [Inaudible]. He was in a meeting with these guys Monday. These
5685 guys have been reaching out..., these guys have been calling individuals. Man, if you had
5686 those questions, get with them, man. I mean, these guys have been reaching out to each
5687 and every one of you guys. He announced he went to the meeting Monday, so why we
5688 he have to spend thirty more minutes or forty minutes on this?

5689 **Councilperson McCoy:** Okay.

5690 **Mayor Felder:** Come on, man.

5691 **Councilperson McCoy:** Well here's why. Here's why, Mayor. And, and, and let me
5692 do this 'cause I wanna make sure I respond to you and I need to lock in this camera good.

5693 **Mayor Felder:** Man, you don't gotta lock in the camera. I'm not even going there
5694 with you, man.

5695 [Chuckles]

5696 [Inaudible exchange]

5697 **Mayor Felder:** [Stammer].., we ain't gotta lock in the cameras, let's sit down and
5698 talk, man.

5699 **Councilperson McCoy:** Okay. Well, you can call me Tradrick in person but extend me
5700 the courtesy 'cause I've always referred to you as Mayor.

5701 **Mayor Felder:** Councilman McCoy, forgive me for that. But, you can sit down. You
5702 don't have to lock in the camera, man. We're not even going there.

5703 **Councilperson McCoy:** You got some water. You need water.

5704 [Inaudible exchange]

5705 **Councilperson McCoy:** Let me tell you something. My absolute job... And you don't
5706 vote. Let's say that. You don't vote.

5707 **Mayor Felder:** It ain't about [sic] vote right now, man. It's about doing what's right,
5708 man.

5709 **Councilperson McCoy:** [Inaudible] the budget.

5710 **Chairperson Botel:** I would like.., given the hour, Mr. McCoy, I would like to...

5711 **Councilperson McCoy:** Dr. Botel, you can sign off. But I've just been personally
5712 insulted and I would love the opportunity to respond. So, do me a favor and you've
5713 already passed the gavel, I wouldn't mind if you do it again tonight, but I'm gonna respond
5714 to the Mayor. And he can log off too if he don't like it. But, let me tell you something,
5715 don't ever question the reasons and why I do what I do. I have a professional background.
5716 I went to school and I got an education, just as much as you would like to think that these
5717 people are tricolated and they accomplished whatever, allow me to have my piece. Right?
5718 If you don't agree, say that, but don't sit here and try to personally suggest that I'm doing
5719 something wrong. I have a constituency that I represent. My personal beliefs, I kinda
5720 lend to the more of a conservative side of spending government dollars. And especially
5721 in height of COVID.

5722 Sir, did you not get the notice that Mayor.., I mean, that the Manager extended to
5723 us to cancel all City sponsored and co-sponsored events? And I'm being denitiated.., I'm
5724 being brought with something that's initiating the City back into a co-sponsored event.
5725 And even Councilwoman Lanier would agree. Like, can we clarify? If they actually..,
5726 clearly... Mayor, you cannot rent a City facility right now. Right? So, do you expect me
5727 not to ask these questions? Do you expect me not to make sure that our Risk
5728 Management, and that we take care of what we need to? Because, let me tell you
5729 something, sir, there are...

5730 [Inaudible comment]

5731 **Councilperson McCoy:** ...lawsuits that come through the door every single day of the
5732 City of Riviera Beach. And when people are gone, you know who the main person is

5733 gonna be? The City of Riviera Beach. So, even if you don't agree, extend me the
5734 opportunity... Yeah, I met on Monday but it was only after they said I already got three
5735 quarters of the way planned, and I inserted what I told them. And if the Chief and Mr.
5736 Evans and..., both Chiefs can tell you, I said I'm not convinced. I would love to tell you...,
5737 I would love to hear something that's gonna convince me.

5738 And now, when I get back to a meeting for the first time, now we had a deviation
5739 in plans, we had a deviation in operations, we've now reduced the number of vendors
5740 that we have. Mayor Felder, you don't vote. So please tell me, do you expect for us...

5741 **Mayor Felder:** I don't care if I don't vote, I got a voice. What you mean?

5742 **Councilperson McCoy:** My [inaudible].

5743 **Mayor Felder:** [Inaudible] vote, I got a voice. What are you talking about, man.

5744 **Councilperson McCoy:** Perhaps you don't have rationalize...

5745 **Mayor Felder:** I know I don't vote. [Inaudible] I don't have a voice and I can't voice
5746 my concern.

5747 **Councilperson McCoy:** Sound like you're upset. But you expect...

5748 **Mayor Felder:** Don't worry about..., don't worry about if I'm upset or not, man.

5749 **Councilperson McCoy:** You want some water?

5750 **Chairperson Botel:** I am going to intercede, Mr. McCoy.

5751 **Councilperson McCoy:** No, you're not. I still got the floor and I'm not gonna let you
5752 even allow this guy to cut me off. Mayor, you don't vote. So what I'm saying to you is
5753 simply this, it's our absolute obligation as Members of this Board to pass a budget. The
5754 risk and who decides on what lawsuits are settled rests with the Mem'..., rests with the
5755 Members. And, and, and I'm glad that you're in this conversation because I think all of
5756 my Members, on this body, that'll share with me, know, it's never personal. We debate
5757 the issues and we move on.

5758 But, sir, you seem to be bothered by this, I apologize. I sincerely apologize but it's
5759 not personal. I believe I'm doing what I'm, I'm actually elected to do and I've only spent
5760 nine years in government. So if you really believe that, then state your position but don't
5761 make it personal about me. And that's exactly what you did, sir.

5762 **Mayor Felder:** I'm never personal.

5763 **Councilperson McCoy:** You started off....

5764 [Inaudible exchange]

5765 **Chairperson Botel:** We are, we are not having a productive... I understand.

5766 **Councilperson Lanier:** Madam, Madam Chair? I'd like to offer a motion, please.

5767 **Chairperson Botel:** Yes. Go ahead. I'd appreciate it.

5768 **Councilperson Lanier:** I'd like to make a motion that this is a.., that this.., that the
5769 Council agrees that this is a City sponsored, co-sponsored event, and that all the things
5770 that go with that, are explained to the Council.., given to the Council so that we understand
5771 what's on the table here and that we can move forward with this event, where we have
5772 people from the outside and people who are from this City, are able to provide bicycles
5773 and provide an activity that Chief Curd and the Chief of Police have assured us that will
5774 consider a Public Health [stammer] component, and that it will be something that the City
5775 can sponsor knowing that these things are in place. Because, if we did go out and just
5776 said give them a permit to do a park, all of this stuff would not be in place.

5777 **Chairperson Botel:** Thank you, Ms. Lanier.

5778 **Councilperson Lanier:** So, that's, that's my motion.

5779 **Chairperson Botel:** Does anyone care to second? Would anyone care to second?
5780 [Pause]. I will pass... Would anyone care to second? [Pause]. I'll pass the gavel. And
5781 again this evening. Three times and you're out.

5782 **Councilperson McCoy:** [Inaudible] City sponsored event.

5783 **Councilperson Lanier:** Is it a City co-sponsored event. That's what I asked.

5784 **Chairperson Botel:** Co-sponsored event.

5785 **Councilperson McCoy:** But, but Members, hold, hold on one second. Chair and
5786 Councilwoman Lanier, all I wanted to simply do was acknowledge. If you go to the
5787 website rivierabeach.org/covid19, it clearly says all City sponsored and co-sponsored
5788 events are hereby cancelled. And that was done by Executive Order of the City Manager.
5789 All I'm simply saying is, we need to figure out what we are doing, where the liability exists,
5790 right now at this point.

5791 I was looking at the [stammer].., the April 27th meeting where the Manger
5792 referenced austerity. And I would invite any of you Members to look up, and google what
5793 that word means. We reduce our expenses and we increase our taxes.

5794 [Background TV]

5795 **Councilperson Lanier:** So, so, Mr. McCoy tell me this...

5796 [Inaudible exchange]

5797 **Councilperson Lanier:** Tell me this, let me ask a question. So, Mr. McCoy, what do
5798 you, I mean, give me your position. I do, I hear it.

5799 **Councilperson McCoy:** All I'm saying is I don't agree with where we are, that we
5800 haven't gotten much as..., as far as what the route looks like, we haven't gotten as much
5801 as what the City's input looks like. Literally, I did hear on Monday that we had twenty
5802 officers but clearly, there has been a number of material changes since I left that meeting
5803 on Monday, but perhaps the Mayor don't think that we should be brought to the table on
5804 this. And I'm saying, 'Come on, dude. I got a five year old. I wouldn't..., well, he'll be six,
5805 when this goes around, 'that I didn't even want..., wouldn't wanna bring him there.' So, at
5806 the very least... And let me tell you something, Members, let me stop here. Chief, give
5807 me one second. Members, if you think I'm kidding, when I went to that meeting on
5808 Monday, you know that it was stated, we're gonna make an announcement, you know
5809 what I told them? You need to make a presentation because we owe the people in our
5810 community that much. So if you don't think it's something that I need to say something
5811 about, Mayor, I'm sorry. I'm only being Tradrick McCoy in, in the way you refer to me and
5812 that's all I know. And I defer back and I yield. In fact...

5813 **Councilperson Lanier:** And Madam, Madam Chair, I did make a motion. And Mr.
5814 McCoy, I, I hear exactly what you're saying but it's the same type of event that Mr. McCoy
5815 is sponsoring in July. So, but I do, but I do hear you though. I hear you saying that if the
5816 City is saying that they're not gonna co-sponsor or sponsor any events, then what are we
5817 doing? I hear this., I really do. But that's the purpose of us having a vote for it.

5818 **Chairperson Botel:** Thank you.

5819 **Councilperson Lanier:** But I do...

5820 **Chairperson Botel:** [Inaudible]...

5821 **Councilperson Lanier:** ...understand and I'm gonna amend my motion that we do
5822 move forward with this but for them to bring back to us before this event, all this stuff that
5823 involves the City's involvement with it. I, I am going to say that. 'Cause I do...

5824 **Chairperson Botel:** Well, I'm not... Okay. I'm not sure that if the event is on July
5825 10th, we have another opportunity to have them come back to us. Do we, Mr. Evans?

5826 **City Manager Evans:** We, we have..., we have a long meeting on July 8th but we can
5827 put something in writing and get it to the Board.

5828 **Chairperson Botel:** And if no one else..., if no one else is interested in seconding
5829 Councilwoman Lanier's motion, I will pass the gavel and proudly second it myself. Chair
5830 Pro Tem Lawson, you take the gavel, please.

5831 **Councilperson McCoy:** Well, I, I wanna ask...

5832 **Chairperson Botel:** Thank you.

5833 **Councilperson McCoy:** ...[inaudible].

5834 **Chair Pro Tem Lawson:** I'm sorry, what was... What was the motion? [Inaudible].

5835 **Chairperson Botel:** The motion is to... The motion...

5836 **Councilperson Lanier:** The motion was that we were going to move forward with this
5837 event as the City co-sponsoring the event, 'cause that's basically what it is. And, that the
5838 City..., City Administration, the Chief, Police and Fire, bring back to us on the 8th meeting,
5839 the logistics of this.

5840 **Chairperson Botel:** Thank you.

5841 **Chair Pro Tem Lawson:** But, do we... And I guess my question before... I'm sorry,
5842 Madam Chair, but my question before I second that is, do we know if the Elam Foundation
5843 or if Jacoby Brissett was this as a co-sponsored event? Because, I know initially, their,
5844 their mission was just to give out bikes. They, they wanted to just kind of...

5845 **Chairperson Botel:** Right.

5846 **Chair Pro Tem Lawson:** ...support the community and to give bikes out. I know they
5847 didn't want the, the, the fanfare behind it and I know we, as a Council, we have a fiduciary
5848 responsibility to our taxpayers and we wanna make sure that we protect the community,
5849 but, I mean, I, I think as a few of us have stated, I, I just wanna be cautious with how we
5850 move forward because I don't know if they even have an interest of making it a co-
5851 sponsored event or if they just wanna give the bikes out. Because...

5852 **Councilperson Lanier:** [Stammer]...

5853 **Chair Pro Tem Lawson:** essentially, they could just...

5854 **Councilperson Lanier:** I, I think, Mr. Lawson, I didn't mean to cut you off, sir, but I
5855 think Councilman Lawson, we can find that out from them if that's..., if that's the case. We
5856 just..., we just really wanna do, is we want to move forward with this group because they
5857 are coming to our City, they are trying to bring something here. We wanna be clear about
5858 what it is that our role is with this. And I don't have a problem with the City co-sponsoring
5859 this, given..., [stammer], given the fact that there is something on the books that says that
5860 the City is not going to do this kind of stuff. But I think that this is a special exception.

5861 **Chair Pro Tem Lawson:** Okay.

5862 **Councilperson Lanier:** And that because they're...

5863 **Chair Pro Tem Lawson:** And I...

5864 **Councilperson Lanier:** Yes.

5865 **Chair Pro Tem Lawson:** I can understand.., I can understand the motion coming to the
5866 table because there was a memo saying that we weren't gonna be supporting any events.
5867 So, that's why I can understand that we could proceed with voting on this event. So I will
5868 second that, Councilwoman Lanier.

5869 **Chairperson Botel:** Thank you. Madam Clerk.

5870 **Councilperson McCoy:** Okay. I don't..., we're not calling the vote because I literally
5871 asked you a question. And it seems like...

5872 **Chairperson Botel:** I'm sorry. I didn't hear it.

5873 **Councilperson McCoy:** So, so what does this establish? Literally, because here's
5874 why, Members, the Manager has the sole authority with exercising executive orders, so
5875 does he have the authority with approving special events. But, I'm, I'm simply asking a
5876 question. I'm ask'..., I'm not asking you to circumvent me questioning because the
5877 Manager has that authority anyways. Just extend me the opportunity to just ask those
5878 questions, what are we doing? Because, quite honestly, we don't need a vote to do this.
5879 Again, it's the Manager's authority. But I just wanted you to begin to think that this is
5880 something that literally we found out after the wheels were already rolling. And I had a
5881 number of concerns, and clearly, if we don't insert it, at what point would we have that,
5882 as a governing body..., governing, meaning, this is our role, have had that question or had
5883 those answers. So, I mean, we don't even need to vote 'cause I'm not gonna debate you
5884 on this issue.

5885 I think it's a good idea but I was really merely asking for two reasons, safety and
5886 the budget standpoint.

5887 **Councilperson Lanier:** Then, why did we vote of Doug's event then if that's the case?
5888 I, I just wanna be sure...

5889 **Councilperson McCoy:** [Stammer]...

5890 **Councilperson Lanier:** ...I just wanna be clear, Mr., Mr. Councilman McCoy.

5891 **Councilperson McCoy:** We voted...

5892 **Councilperson Lanier:** I just wanna be clear that the City is...

5893 **Chair Pro Tem Lawson:** We...

5894 **Councilperson Lanier:** ...that we..., if, if the City is co-sponsoring this, Councilman
5895 McCoy, then that means that they have, they have the..., they have to come back and tell
5896 us the logistics.

5897 **Councilperson McCoy:** No.

5898 **Councilperson Lanier:** If that per', if that, if that group is doing this on their own, they
5899 just go and get a regular permit from the City and go into a park and do it, they can do
5900 that. But I would want to have oversight. The City's oversight, with this event, just in
5901 case.

5902 **Councilperson McCoy:** The Chief was very clear that this was Abe Elam's and Jacoby
5903 Brissett's event. Did I not hear...

5904 [Inaudible comment]

5905 **Councilperson McCoy:** In fact, I actually typed this on my computer.

5906 **Chairperson Botel:** Mr. McCoy...

5907 **Police Chief Osgood:** Yes...

5908 **Chairperson Botel:** ...the Chief is looking to respond. Chief Osgood.

5909 **Police Chief Osgood:** Yes. Councilman McCoy, I, I see your passion and I
5910 understand what you..., where you're going with this and I completely understand. In a
5911 conversation I've had with Abe and Jacoby over the past few days, and we talk quite often
5912 through text message or a phone conversation, this is Abe Elam's and Jacoby's event.
5913 This is not the City of Riviera Beach or the Police Department co-sponsored event with
5914 them.

5915 Now, it'd be wrong for us, just like with the protestors, if you notify us that you're
5916 doing something, we don't get involved. So, we have to get involved and, and come in
5917 and assist in every way we could, legally. So, so we, when we..., when I got involved with,
5918 with Abe and Elam..., Abe and Jacoby, again, I'm looking at, first and foremost, the whole
5919 idea was just, I wanna do something for the youth. And, I heard, I heard your remark
5920 earlier, Councilman McCoy, where you said you don't believe that, as far as they didn't
5921 want our..., their names on this, they didn't. Abe Elam and Jacoby said we're not trynna
5922 push this out as a fanfare. Jacoby even took it a step further and says, 'Listen, man. Just
5923 give them the bikes and I'll just go back home. And I'll go back and, and start camp.' And
5924 that's it. He said I just wanna help the kids out, do something for the kids. He said, I just
5925 thought it was a good idea, because my biggest role model, when I was a youth, was
5926 police officers, right here in Riviera Beach. And, he was just honored to meet me and I
5927 was honored to meet him, Abe and Jacoby, and to do something with the kids. I'm gonna
5928 be clear, this is Jacoby's and Abe's event. This is not my event and [stammer] we're just
5929 helping them facilitate it. And they reached out..., the reason why they reached out, they
5930 reached out to every Council Member. I said, 'Hey, make sure you call them, reach out
5931 to every Council Member.' They told me they communicated with everybody, [inaudible]
5932 tried to.

5933 And one other thing, Mr. McCoy, Council Member, the, the other thing with the...
5934 I'm not sure what, what has really come forward that says we talked on Monday because
5935 we had to scratch that bike route because you said you didn't like the route going through
5936 one of the streets. Sir, that was your doing. So, I went back to the Sergeant and said,
5937 'Find a new route.' I said, 'Council Member McCoy makes a valid point, they are doing
5938 construction in that area.' He said, 'Yes.' So as far as not having a plan, he blew it up.
5939 Now, I don't know if he has a new plan for me. I haven't met with that Sergeant. Now,
5940 we also put together..., we said, let's put everything out together. We've est'..., we've
5941 guesstimated or estimated how many patrons should..., might be coming [inaudible]. We

5942 even went., even went above what already registered. We even took in account that we
5943 might have some walkups and people may say, 'Hey, what's going on over there? Let's
5944 go over.' So, we took that into account. And so immediately, I went to my Staff and said,
5945 hey, I need, just like we do our parades for graduation and stuff, we move cars around,
5946 we move units around. I need to have Staff to come in and work this event where we're
5947 not paying overtime. I need to move people around. If we pay for anything, we might be
5948 paying for the tent, which I also volunteered to pay for. Because I said, 'I don't wanna put
5949 any money out of my budget.' So, what we're doing here, I can't see how we can call this
5950 a co-sponsored event without asking the original sponsors. They don't want us involved
5951 other than the fact that they, they just wanna say, 'Hey, we're giving out bicycles to kids.'
5952 And, as simple as it sounds, we almost made it sound not too simple.

5953 **Chairperson Botel:** Well, we., what you're., what I'm hearing is that you believe
5954 the original sponsors of this event, Abe and Jacoby, would prefer that we not have it be
5955 a co-sponsored event. Unfortunately, it seems to me that, given the objections of
5956 Councilman McCoy, we might want to show our support by voting to support it. Perhaps,
5957 we can have Ms. Lanier modify the, the motion to say that we, we want to stay our support
5958 for it. I, I don't know. I mean, I'm gonna...

5959 **Councilperson Lanier:** Well, I mean... Let, let me say this. I don't., Let me, let me
5960 say this first of all. I, I don't think that Councilman McCoy is objecting to this. I really
5961 don't. I think that what he's saying is that we are putting in a lotta of work into this, tents,
5962 police work, we're trying to, you know, provide information about COVID-19. We really
5963 wanna make it a special event. We're just saying that, if the City is going to co-sponsor
5964 it, then we need to know the exact logistics of what's gonna happen with it because we
5965 are co-sponsors. Now, if they don't want us to co-sponsor it, then that may be so., But I
5966 don't think they're gonna have, have a problem with that. I mean, we got police officers.
5967 I mean, like Mr. McCoy said, we got twenty police officers who may be on deck to be able
5968 to do this, they said they would do it., they would do it regardless if they were on, on shift
5969 or not.

5970 So, it is a part of the City. Why not? I mean, they, they're from the City so why not
5971 it be a part of the City? We have no problem with that. I think his only issue was the fact
5972 that they're trying to look and see., he, he's trying to trying to make sure that we have all
5973 the logistics in terms of how this is going to play out.

5974 **Chairperson Botel:** Okay.

5975 **Councilperson Lanier:** That's it.

5976 **Chairperson Botel:** Mayor Felder.

5977 **Mayor Felder:** They, they don't, they don't want to be a part., as far as a partnership
5978 with the City. Alright? That's the bottom line.

5979 **Councilperson Lanier:** Then, then, then, Mayor...

5980 **Mayor Felder:** [Inaudible]...

5981 **Councilperson Lanier:** ...then that will mean...

5982 **Mayor Felder:** [Inaudible]...

5983 **Councilperson Lanier:** ...that the..., then that will mean that the co-sponsor would
5984 have to get a permit and just put it out by themselves.

5985 **Mayor Felder:** You know what? The bottom line, they can go at the Imperial Plaza
5986 on Blue Heron...

5987 **Councilperson Lanier:** Yeah.

5988 **Mayor Felder:** ...[inaudible] because this is what they didn't want, right? Where it
5989 became political or it became a fight, where they just want to give out some bicycles. I
5990 understand that.

5991 **Councilperson Lanier:** No. I don't think so, Mayor. I, I don't think it was political. I
5992 think that the questions were asked...

5993 **Mayor Felder:** [Inaudible].

5994 **Councilperson Lanier:** ...was this, if the police and the City and the Fire is going to
5995 be involved, then okay, the people who..., because if it wasn't, if it wasn't...

5996 **Mayor Felder:** But that was a City...

5997 **Councilperson Lanier:** ...that, if, if it was...

5998 **Mayor Felder:** [Inaudible].

5999 **Councilperson Lanier:** ...just... If it was just the Foundations said, were gonna give
6000 this out, guess what, they should've never came to us then.

6001 **Mayor Felder:** They, they...

6002 **Councilperson Lanier:** If it was just about them.

6003 **Mayor Felder:** ...really [inaudible].

6004 **Councilperson Lanier:** They should've never came to us.

6005 **Mayor Felder:** Okay. You're right. And maybe next time they won't.

6006 **Councilperson Lanier:** Yeah. I mean, you know. [Stammer], I'm not saying that to
6007 say..., all I'm saying is that I don't think that this organization, or these brothers would have
6008 a problem with the City co-sponsoring this event, to be able to make it go off without a
6009 hitch. I just don't think so.,

6010 **Mayor Felder:** Have you talked with them?

6011 **Councilperson Lanier:** I'm just asking.

6012 **Mayor Felder:** Because they, they clearly told me they don't want it. Have you
6013 talked.., have you talked with them?

6014 **Councilperson Lanier:** No, I have not talked with them.

6015 **Mayor Felder:** [Inaudible] they was clear on it.

6016 **Chairperson Botel:** I, I...

6017 **Councilperson Lanier:** No. Because we're gonna have the Police Department there,
6018 the Fire Department there, they're gonna have..., the City's gonna put up tents. How is it
6019 that we're not involved?

6020 **Chair Pro Tem Lawson:** Council'...

6021 **Chairperson Botel:** Ms. Miller-Anderson.

6022 **Chair Pro Tem Lawson:** If I could respond...

6023 **Chairperson Botel:** Ms. Miller-Anderson hasn't said a word in about half an hour...

6024 **Councilperson Miller-Anderson:** I haven't...

6025 **Chairperson Botel:** ...an hour.

6026 **Councilperson Miller-Anderson:** Yeah.

6027 **Chairperson Botel:** I think it's about time....

6028 **Councilperson Miller-Anderson:** But, let me say... No. I think that Mr. Lawson
6029 did have his hand up some time ago. Did you still...

6030 **Chairperson Botel:** I'm sorry.

6031 **Councilperson Miller-Anderson:** 'Cause if that's the case, I'll, I'll let him go first
6032 and then I'll just...

6033 **Chairperson Botel:** I'm sorry. Sometimes...

6034 **Councilperson Miller-Anderson:** ...[inaudible].

6035 **Chairperson Botel:** it's hard to... Go ahead, Mr. Lawson.

6036 **Chair Pro Tem Lawson:** Thank you, Madam Chair. I, I believe these gentlemen
6037 wanted to do something for our community and we were just trying to change the narrative
6038 of what our City has been in the years. Councilman McCoy just addressed policy
6039 concerns, legislation concerns. He is a elected official that's responsible and has a

6040 fiduciary responsibility. So, I., even with all the, the disagreements that we've had on
6041 this Council, I've never disagreed with what the intent of what Councilman McCoy has
6042 come before the Board. Right now, these gentlemen just wanna give out some bikes. I
6043 think we need to simplify it, and we're making it a little bit more difficult. Because, I've
6044 seen Parks & Rec, and I've seen our police force do certain events without coming before
6045 the Board. So, I'm not sure why this has even come before the Board and I just kinda
6046 wanna understand. I'm assuming they just want the blessing, or it's because of the memo
6047 that went out that we weren't gonna be doing public events but essentially, I wanna just
6048 see this event go off without a hitch because these are gentlemen that grew up in this
6049 community, that came from this community that wanna give back, the same way that
6050 we're all giving back,. The same way that Councilman McCoy grew up in this community,
6051 he's serving his community. He's serving the way that he knows how to, so I'm not gonna
6052 discredit anything that Councilman McCoy has said and, and, and Mayor Felder has said
6053 because they are passionate about the City in, in in the way that they are.

6054 What I wanna do, is I wanna see this event get done. I wanna partner with these
6055 gentlemen that want to actually provide a service to the young kids in this community who
6056 have been devastated by COVID, and we have to figure a way to get it down. It's really
6057 as simple as just finding the best way to let our Staff get this completed with them that's
6058 not going to have any detrimental effects. I see that they've already got the waivers
6059 completed, I see that they've put a route in place and they took the consideration from
6060 Councilman McCoy to change the route that they had concerns with. I see that we're
6061 getting it worked.., worked out. I think that we should move as a Board to just do
6062 everything in our power to get this event accomplished, to change the narrative of the City
6063 and to request that we have people come back to the City to do as much as possible here
6064 in the City.

6065 So, because Councilman McCoy's asking these questions or Mayor Felder, we
6066 may disagree with it, it's the simple fact that's our job. So I'm not gonna, I'm not gonna
6067 shortchange anybody's opinion tonight, what I'm gonna say is let's just get it done. So,
6068 whatever, Chief Osgood, Chief Curd, Mr. Evans, to get this event done, let's get it done.
6069 I wanna get these bikes into these kids hands, I wanna get this ride done safely and I
6070 wanna protect our community, and represent the City. If we can have the media here to
6071 showcase Riviera Beach, that's what's we need to do, to showcase our beautiful City.
6072 So, whatever it takes to get it done, let's just do it.

6073 **Councilperson Lanier:** And I...

6074 **Chairperson Botel:** Thank you.

6075 **Councilperson Lanier:** ...at that point, I'm going to rein'.., restate my motion.

6076 **Chairperson Botel:** Wait. Ms. Miller-Anderson is asking to speak.

6077 **Councilperson Lanier:** Okay.

6078 **Chairperson Botel:** Thank you. Ms. Miller-Anderson.

6079 **Councilperson Miller-Anderson:** I, I, you know, I, I totally agree with Mr. Lawson
6080 and I just wanted to point out that, you know, what Chief Osgood mentioned about the
6081 protest, you know, we did have to provide the police, as well as the partnership with the
6082 other police and obviously, that wasn't something that we planned for. But, it wasn't
6083 necessarily a co-sponsored event, it was just a matter of just trying to protect the, the
6084 safety of our individuals and, you know, the community as a whole. And, the point that
6085 Mr. Lawson made about there were other events that may have taken place, not now but
6086 some time ago, where it didn't come to us but I would typically see the City's logo on there
6087 and, and see Parks & Rec and all this different stuff and my question would be, well, I
6088 never knew anything about it, you know, are we providing this partnership? And so, what
6089 I was always understanding was it came through that department. And so, I, I see this
6090 as being almost the same thing as the funding that would be utilized for the Police, the
6091 Fire, the Safety, would be coming from the Police Department's budget per se. And so,
6092 just like when someone would have, like, a, a, a week basketball camp and Parks & Rec
6093 partnered with that organization to do that, they would basically provide the space, or a
6094 tent or whatever it was. But that didn't necessarily..., it didn't always come to us. So I, I
6095 see this as almost the same thing and I, I definitely don't want to discourage the
6096 individuals from..., they always come back and do something here in the City and I just
6097 wanted to put on record, Dr. Botel, Jacoby lives east of Broadway. Not across the bridge,
6098 so let's correct that on the record.

6099 **Chairperson Botel:** [Inaudible].

6100 **Councilperson Miller-Anderson:** It's not Singer Island.

6101 **Chairperson Botel:** [Inaudible] tell me he lives at Singer Island.

6102 **Councilperson Miller-Anderson:** No, ma'am. No, ma'am.

6103 **Chairperson Botel:** [Inaudible].

6104 **Councilperson Miller-Anderson:** No, ma'am. So, you know, I, I definitely
6105 understand, you know, we wanna support but if it's a matter of, you know... I, I, I definitely
6106 brought it up last week when we had our Public Safety meeting, about the safety and the
6107 COVID and not having the impression out there that, you know, we're gonna turn around
6108 and do something that we totally are telling people not to do. So, I know they went back,
6109 kinda went to the drawing board in terms of how they're gonna distribute the bikes. So, I
6110 know they've been working on different plans. Our next meeting's not 'til the 8th so I can't
6111 foresee us waiting 'til the 8th to get information on it and then make a decision two days
6112 before it occurs. So, I'm thinking that's something that can be worked out now, and then
6113 the information can just be provided to us.

6114 And, you know, I, I support it. But like I said, I don't wanna see large gatherings.
6115 I do wanna make sure that that's somewhat under control in terms of, you know, making
6116 sure people have their masks and we said that we have the liability waiver and all those
6117 things in place, they're providing insurance. So, for me, it sounds like they, they have
6118 looked at the suggestions that were provided and I support..., and, Mr. McCoy, I, you know

6119 what? I, I, I love when you bring up those comments and, and you really are just you,
6120 basically making people be held accountable. And so, I'm certainly not mad at that at all.,
6121 But, I just., I think we need., when we look at it and we're looking at the situation, we,
6122 the most recent thing to think about and compare it to, would be the protest because we
6123 had a lot of officers. I mean, probably way more officers than we would have for any
6124 event, probably that we've had in a very long time. And so that, you know, if we were
6125 gonna look at some monies that were spent, I would like to see what that cost in terms of
6126 doing that. And that was not something we planned for. And I think if Abe and Jacoby
6127 are willing to, to, to front the money for whatever it is that's needed, then, you know, it's
6128 not like they're coming to us and asking us to pay for everything. So, I appreciate that
6129 and I can certainly support it, but I definitely understand the concerns.

6130 **Councilperson Lanier:** Madam Chair? I, I'd...

6131 **Chairperson Botel:** Yes.

6132 **Councilperson Lanier:** ...like to., I mean, because it, it seems as if ya'll want this to
6133 be a, a, a private., a private event, that the people go and they give the bicycles out of
6134 themselves, privately, if that's the case, than that's fine. I'm gonna withdraw my motion.
6135 I wanted to co-sponsor this event with these, these gentlemen. I wanted to be able to
6136 bring this forward that., to have the Police Department and the Fire Department involved.
6137 That doesn't seem to be the consensus here. I withdraw my motion and ya'll can, you
6138 know, make a motion and do what ya'll think you all need to do.

6139 **Chairperson Botel:** [Stammer]. I'm not sure that I had the same sense about that
6140 people didn't feel that the Police and Fire should be involved. On the contrary, I think that
6141 we do feel that we wanna have the City involved. And, and if Chief and the Mayor are
6142 saying that Abe and Jacoby don't want us to co-sponsor, that's fine but I think that we
6143 ought to at least express our thanks, our gratitude and our support for the event, even
6144 though we're not co-sponsoring.

6145 Mr. Lawson.

6146 **Chair Pro Tem Lawson:** Madam Chair, I believe this was just a discussion Item. The
6147 reason we, we voted on my Item was because there was a, a financial impact that Mr.
6148 Evans brought before the table. Chief Osgood and Mr. Evans just brought this event
6149 before us just to kinda enlighten us of what was occurring in the City being that this is a
6150 major event for our City and, Councilwoman Miller-Anderson has stated in the past that
6151 she didn't know about certain events until, you know, she saw it on'., online or, or saw it
6152 when it was happening. So, I think they were just bringing it before the City 'cause they're
6153 not asking for any impact to the budget. They've already addressed those concerns. The
6154 impact to the budget for my event that we did vote on, was because it's gonna have an
6155 impact that, that we wanted to get a vote from the Council to support.

6156 So today was just a discussion Item to let us know and to make sure that the
6157 Council is gonna be there and be in support of the event for next week. And Councilman

6158 McCoy addressed some of his concerns, we discussed it and I believe we move forward.
6159 I'm not sure if we have to take any action right now.

6160 **Councilperson Lanier:** My motion is [stammer] is withdrawn. And every Tuesday and
6161 Friday, we co-sponsor giving away food, every..., twice a week. So, I don't see a problem
6162 with us co-sponsoring this but, as I said initially, I'm going to withdraw my motion and
6163 however ya'll want to proceed, that's how ya'll proceed.

6164 **Chairperson Botel:** Mr. Evans, do you need anything from us?

6165 **City Manager Evans:** No, Madam Chair. This was for informational purposes only,
6166 and to bring you up to speed as to what was occurring.

6167 **Chairperson Botel:** Okay. Thank you. And, Chief Osgood and Chief Curd, please
6168 extend our extreme gratitude to Abe and Jacoby. And thank you, and to your officers for
6169 volunteering their time and, also to Chief Curd, for your folks for volunteering their time. I
6170 think the general consensus, on the part of this Council, including Mr. McCoy, is that we
6171 appreciate the offer and, and are very, very grateful and want to see this be a very
6172 successful event. And, I expect to see Mr. McCoy on a bicycle on the ride. [Inaudible].

6173 **Councilperson McCoy:** Thank you.

6174 **Chairperson Botel:** And so, do we have any other discussion by the City
6175 Manager?

6176 **City Manager Evans:** No, Madam Chair. I think I've said enough.

6177 [Chuckle]

6178 **Chairperson Botel:** Do you believe that?

6179 **CITY COUNCIL COMMITTEE REPORTS**

6180 **Chairperson Botel:** Do we have City Council committee reports?

6181 **Councilperson Lanier:** No.

6182 **Chairperson Botel:** I'm not gonna... Anybody? No. Statements by the Mayor...

6183 **Councilperson Miller-Anderson:** I, I did have one but...

6184 **Chairperson Botel:** Oh.

6185 **Councilperson Miller-Anderson:** ...given the hour, I can certainly wait.

6186 **Chairperson Botel:** Okay.

6187 **Councilperson Lanier:** 12:10...

6188 **Chairperson Botel:** [Inaudible].

6189 **Councilperson Lanier:** ...Councilwoman Anderson, it's 12:10.

6190 **Councilperson Miller-Anderson:** Did you not hear what I said? Did you not hear
6191 what I said?

6192 **Councilperson Lanier:** [Inaudible].

6193 **Councilperson Miller-Anderson:** I said, given the hour, I can wait.

6194 **STATEMENTS BY THE MAYOR AND CITY COUNCIL**

6195 **Chairperson Botel:** Thank you. Statements by the Mayor and City Council.
6196 Starting with the Mayor.

6197 **Mayor Felder:** Yeah. I won't., I won't be long. Councilman McCoy, forgive me for
6198 calling you Tradrick McCoy. Secondly, get, get a bicycle. Me and you gonna ride together
6199 so we can talk. Alright?

6200 [Chuckles]

6201 **Mayor Felder:** I am a ser'., I am a serious dude but get a bicycle so me and you
6202 can ride them together and we can have a conversation. And, tell me what your
6203 [inaudible] for his birthday.

6204 Good night, ya'll.

6205 **Chairperson Botel:** [Chuckle]. Councilman McCoy. You have to respond to that.

6206 **Councilperson McCoy:** I'll go ahead and respond and I'll go ahead and lay my
6207 comments out. If you know Mason, he only wants, that's all he wants.

6208 **Chairperson Botel:** I'm having a hard time hearing you.

6209 **Councilperson McCoy:** Yeah. If you know Mason, all he wants is a hug. So...

6210 **Chairperson Botel:** Aww.

6211 **Councilperson McCoy:** ...if you give that to him, that'll make my day. And I gotta stop
6212 him from hugging the [inaudible] and that's concerning to me, so I, I...

6213 **Chairperson Botel:** [Chuckle]. I told you he's my favorite McCoy. You know that.

6214 **Councilperson McCoy:** [Inaudible]. Yeah, you look like you can pass the test. You
6215 look like you're good. You., you don't look like you have COVID. So, thank you, Mayor.
6216 And there's no offense. [Audio skipped out]. I apologize. Can you hear me okay?

6217 **Chairperson Botel:** I can now. I think it was a little static [inaudible]. Ms. Wynn is
6218 shuffling papers over there.

6219 **Councilperson McCoy:** Yeah.

6220 **Chairperson Botel:** Mute your mic.

6221 **Councilperson McCoy:** [Inaudible] and I apologize if there seems to be of some
6222 offense but, you know, things change from day to day. Members, thank you for a very
6223 long meeting and I'm just gonna leave.., really leave on this. Thank you, Members, for
6224 supporting the Small and Medium Business, excuse me, Committee related to our
6225 forgivable loan program which rolled out on the 26th. Which was last Friday. And, I know
6226 we have been accepting applications. And I wanna make the announcement that
6227 [inaudible] on the website, rivierabeach.org/covid19/loan. And, the applications are there.
6228 It is limited, first come, first eligible basis. And I wanna take the opportunity to thank the
6229 members of the committee, Ms. Pemsel and thank you to, also Ms. Jacobs, who spent a
6230 lot of time working with me at the Fri'.., on Friday evening, making sure that we can tighten
6231 up everything and get everything out. So, thank you so much, Ms. Jacobs and members
6232 of the committee. And also, Mr. Evans, for making the ability to locate those dollars. And
6233 again, Members, please share it but please.., I, I, I've asked the Manager to reach out to
6234 you regarding some protocol but I, I don't want us to be involved in the process, if at all,
6235 because we have limited funds and inevitably, when we receive calls about this,
6236 somebody's gonna be denied and I would much rather that we don't get involved at all
6237 because, you know, we have to be above [inaudible]. And then not only that, without
6238 conflict. So, thank you, Members. And that's all I have.

6239 And Mayor, I've been riding, so I look forward to the challenge.

6240 **Chairperson Botel:** [Chuckle]. Councilwoman Miller-Anderson.

6241 **Councilperson Miller-Anderson:** So, I'm really confused when we have the
6242 heading that says City Council committee reports and then we turn around, right in our
6243 statements and talk about committees. So, that's why I said I would hold off. I mean,
6244 that's why it says committee reports, so we can talk about those types of things.

6245 So, I just want to say, I don't know if Chief Curd is still on here but the COVID
6246 Education Compliance Team, which is very similar to what Palm Beach County has rolled
6247 out, where they've been going around to the businesses and just encouraging them to..,
6248 well, not encouraging them, letting them know what the requirement is. And, I don't know,
6249 Chief Curd, I know you all just started today, so can you take that from me really quick to
6250 just explain that part?

6251 **Interim Fire Chief Curd:** Yes, ma'am. Absolutely. So, today we were able to get our
6252 COVID Education Response Team out into the community to inform some of our local
6253 businesses of what they can do to better comply with some of the requirements from the
6254 Department of Business and Professional Regulations to provide a safe environment for
6255 their patrons. We are gonna be putting together a program...

6256 **Councilperson Miller-Anderson:** Mhmm.

6257 **Interim Fire Chief Curd:** ...[inaudible] guidance of Mr. Evans, Ms. Jacobs and Ms. Huff
6258 that actually [inaudible] onsite [inaudible] and actually looking to provide a COVID
6259 compliant certification to businesses, and look to promote those businesses to the
6260 community, letting them know that these are businesses that have been inspected [audio
6261 skipped] the proper control measures in place to ensure their [audio skipped] they do visit
6262 their venue. And we will continue to update the progress as we move forward with that
6263 project.

6264 **Councilperson Miller-Anderson:** Thank you. And then also, and I mentioned this
6265 earlier 'cause I wasn't sure if we would have an opportunity to do any statements, 'cause
6266 I kinda felt like we were gonna be here all night. So, I threw it out a little earlier about the
6267 coming with some information regarding the Civilian Oversight for the, for the Police and
6268 so that will be something... I have several Ordinances and sample Resolutions from
6269 Miami and Broward area as to how they're developing theirs and there's an individual that
6270 we're able..., we will be able to work with them in order to, you know, provide us with
6271 information on how we could move forward with that. But I, I certainly want to make sure
6272 that we're able to identify funds, and I think we've kinda found all kinds of money tonight
6273 and last meeting. So, we should..., if we're..., if that's something that we want to do, we
6274 will want to make sure that we earmark that, especially when we start talking with our
6275 budget. I know I kinda threw out at the meeting about [inaudible] funds, we also talked
6276 about possibly, you know, obviously, when COVID was a little better that we could
6277 possibly have, like, a [inaudible] and, and establishing different activities where, you
6278 know, we don't have it necessarily in our Parks & Rec, and really putting more activities
6279 in our community policing. So, those are some of the things that we talked about and that
6280 should be coming fairly soon.

6281 And just on a shorter note, I know on last week, or last meeting, whenever that
6282 was, we talked a little bit about Juneteenth and we having possibly a celebration. I'm
6283 sure when we have our discussions during budget, we'll be looking at, you know, if that's
6284 even feasible of if 4th of July, any of that is feasible at any point, but there is an
6285 organization that would like to do something and [stammer] I don't know if that's
6286 something that, you know, we're willing to see if they're able to work that out and they can
6287 provide the activities and fronting most of the, the financial side of it. Maybe that's
6288 something we might [inaudible], there may be some agency [inaudible] would like to do
6289 that. And so, I'll bring more information regarding that as we start talking about it.

6290 But I just wanna wish everyone..., actually, I just want everybody to kinda stay
6291 home, not get in big groups for the 4th of July weekend. I am glad that we were able to
6292 close..., the beaches will be closed. That was a concern for me. As you know, it was a
6293 concern for me some time ago but I got over that. But, I'm glad we were able to do that
6294 for this particular holiday because, as you know, everybody..., and I see those counties
6295 above us, to the north of us, decided to do the same thing because they didn't want the
6296 overflow to come to them as well. But everyone just continue to, you know, social
6297 distance and, and have good hygiene and wear your mask and stay safe.

6298 And also, Mr. Evans, or Chief Osgood, we're having a lot of fireworks, like, 4th of
6299 July's been going on for about three or four weeks now, so at some point after the 4th, will
6300 we try to reinforce.., or, enforce the stopping of these fireworks that's continuing to go on?

6301 **Police Chief Osgood:** Well, I'm sure Chief Curd is gonna concur with me but
6302 ninety-nine percent of the fireworks you see out there right now are, all illegal. And, and
6303 we were just talking about that yesterday, I think it was yesterday, that the.., when we
6304 come across the illegal fireworks, should we confiscate them or let them have their fun?
6305 But we know how many people get injured with fireworks every year, so we're gonna have
6306 to probably start confiscating them, taking them and storing them, turn them over to the
6307 Fire Department for them to destroy them.

6308 **Chairperson Botel:** Chief Curd.

6309 **Interim Fire Chief Curd:** One, one of the things we do have to consider is Governor
6310 DeSantis [audio went out]...

6311 **Councilperson Miller-Anderson:** I can't hear him.

6312 **Chairperson Botel:** I can't.., I lost you, Chief.

6313 **Interim Fire Chief Curd:** Can you hear me now?

6314 **Chairperson Botel:** Yes.

6315 **Interim Fire Chief Curd:** Okay. Governor DeSantis did sign an Order that does allow
6316 for fireworks to be shot off with no restrictions, three days out of the year, 4th of July, New
6317 Year's Day and New Year's Eve. So, we gotta be mindful on now what's considered
6318 illegal because while at one time fireworks were only allowed to scare off birds that were
6319 a nuisance, they now are allowed, any and every type of firework for [audio skipped] and
6320 can be shot off [audio skipped].

6321 **Councilperson Miller-Anderson:** Well, I was speaking more of July.., starting July
6322 5th.

6323 **Interim Fire Chief Curd:** Right.

6324 **Councilperson Miller-Anderson:** I mean, we've been dealing with it for the past
6325 three weeks already now. I'm not worried about that, I'm not worried up until the 4th but
6326 for July 5th, do we continue to let them go for another two or three weeks?

6327 **Police Chief Osgood:** Councilwoman Miller-Anderson, I'm gonna agree with you.
6328 Come July 5th, [audio skipped] we cannot let them continue to go. We're gonna have to
6329 put a stop to it. We can ask them politely to not fire them off and then we can into the
6330 confiscation aspect and start citing them.

6331 **Councilperson Miller-Anderson:** Okay. 'Cause I know a lot of people..., those are
6332 some real powerful fireworks that are out there. Some people really, like, literally think
6333 those are shootings that are happening every ten, fifteen minutes. And so...

6334 **Police Chief Osgood:** [Inaudible] shot fired off every night.

6335 **Councilperson Miller-Anderson:** Yeah. And it's going 'til, you know, one, 2:00
6336 o'clock in the morning for some of them. So. Alright. That's it for me.

6337 Thank you. I really enjoyed my seven hours..., six hours I was with you all tonight.
6338 Thank you.

6339 **Chairperson Botel:** Yeah. Councilwoman Lanier.

6340 **Councilperson Lanier:** [Audio skipped] to say that I too have enjoyed these six, seven
6341 hours here. But I also wanted to say that I, I was in agreement with both Mr. Felder and
6342 [stammer] Mayor Felder and Mr..., Councilman McCoy in terms of handing out these
6343 bikes. I was really looking forward to this happening and the City being a co-sponsor with
6344 this. Mayor Felder said they didn't want a co-sponsor but I thought that because we were
6345 having police presence, we were having other issues that were going on in terms of
6346 setting up tents, that we would be able to do something like a co-sponsor but apparently
6347 that's not gonna happen, but I was all for this event happening.

6348 Second of all, since August of 2019, I've been working with a consultant to provide
6349 a Juneteenth celebration for the City. I have met with Mr. [stammer], Mr. Evans since
6350 August of 2019, and the only reason the celebration was postponed was because of the
6351 COVID-19 and Mr..., Councilman Lawson had the presence of mind to bring forward, to
6352 make a holiday out of it, which is very good but we have a consultant that we have been
6353 working with since August of 2019 to be able to have a celebration that is on par with our
6354 Christmas celebration, and with our 4th of July celebration. So, that has been in the works
6355 for a long time.

6356 And thirdly, I just want to say that the committee for..., the Audit Committee worked
6357 very hard to be able to bring you guys recommendations for, for choosing an auditor. The
6358 Co'..., the Council chose to go a different route, which is fine, which they have every right
6359 to do but I just wanted to make sure that the Committee [stammer], if they look at this
6360 tape later or early, or whatever the case may be, that the Committee did a excellent job
6361 in doing what they were asked to do. According to Florida statute, they did an excellent
6362 job in terms of ranking and in terms of making sure that the Council received a rec'..., a
6363 set of recommendations that were based on expertise and based on the law. So, however
6364 the Com'..., however this panned out, I just want to say thanks to the Audit Committee
6365 because even Mr. Evans brought this up, we did..., we..., I was just thinking about the one
6366 and a half months that we met for doing the actual evaluation, but we met a month prior
6367 to that, just even to do the... We, we, we the ones who came up with the RFP itself. So,
6368 yeah, we..., it's been two and a half months since we worked on this project, and I just
6369 wanted to thank the Audit Committee for all their hard work, for all the nights and evenings
6370 that they sacrificed to come and to do this work for the City and any other committee that

6371 is out there to know that it is only recommendations and the Council does have the final
6372 say.

6373 That is my comments.

6374 **Chairperson Botel:** Thank you. Mr. Lawson.

6375 **Chair Pro Tem Lawson:** Thank you, Madam Chair. I just wanted to give Mr. Evans...,
6376 if you could put on the Agenda for the 15th meeting, the Arts in Public Places presentation,
6377 if it's gonna be ready. If not, then just shoot me an email, let me know when we can get
6378 it on the Agenda. I know we spoke about that briefly so I just wanted to see if we can
6379 have that on the next Agenda Item.

6380 And, the program, colleagues, I just wanted to thank you guys for supporting the
6381 Grab Bag event. And allowing for us to just give some type of incentive to these kids
6382 because, as you know that they're being effected tremendously, especially the graduating
6383 seniors. They lost a prom, they lost a grad night, they lost a graduation and the ability to
6384 walk on stage. So, anything that we can do, I think it's gonna be impactful for them and
6385 this will be something that they're gonna look back on ten, twenty, thirty years down the
6386 line and say that, you know, the City did care about us enough to do something. So,
6387 thank you.

6388 And, I just wanted to announce, we're doing a mental health virtual workshop for
6389 young men and women tomorrow. We're partnering with YEP and we're partnering with
6390 Mind Over You. It's gonna be a free workshop for kids, just to kinda express what's on
6391 their mind, what's going on, their thoughts and their feelings. We're gonna have two
6392 therapists on the line. I'll be on the line as well, just to kinda connect with the children.
6393 'Cause a lot of these kids are just stuck in the house, and it's unfortunate that we can't
6394 really get to them. So, we're trying every best way possible to connect with the kids. If
6395 any parents, please register your kids. We're focused on ages between.., the group of
6396 eleven through eighteen. Please call 561-840-0135, and it's gonna be a Zoom call. We
6397 have about ten kids registered. We have space for up to.., as many as possible. I think
6398 we can go up to a hundred kids but we wanna keep it around fifty 'cause we have enough
6399 therapists to cover at least fifty kids. So if we can get fifty kids registered, that'd be great.
6400 And we're gonna be talking about mental health but we're making it cool for them. We're
6401 gonna just let them chit chat about what's going on, their feelings, expressing what's going
6402 on in a fun, safe environment for them to release. So, parents, if you have any kids,
6403 please get them registered for this program. It's tomorrow at 2:00 p.m., and we're doing
6404 it every Thursday. It's free mental health, free service for the kids. And it's not gonna be
6405 called mental health, it's just called confidential talk with the kids. So, we want you guys
6406 to just get your kids registered.

6407 Colleagues, thank you for amazing meeting tonight. So, have a wonderful night.

6408 **Chairperson Botel:** Thank you, Mr. Lawson. I'm going to put off my report about
6409 the Marine Industry Committee and the Hospitality Committee until the next time because
6410 I have two items that I wanna just discuss quickly. I want to congratulate the first cohort

6411 of graduates of the Palm Beach State College course that we offered right here in Riviera
6412 Beach, that they graduated on August., in August and bravo to all the men. They will be
6413 walking away with a college credit certificate, a twelve credit program in business
6414 specialist. And if anybody is interested in the next cohort, in joining the next cohort, my
6415 legislative aide, Sam T.C. Brown, can give you information. His email address is
6416 stbrown@rivierabeach.org. That's S-T., S for Samuel., Sammie Thomas,
6417 stbrown@rivierabeach.org.

6418 And the other thing I wanna say is there's a lot of talk online, especially on
6419 Nextdoor, about the derelict boats and the live-aboards in the lagoon. And, I wanna make
6420 it very clear, we are going to do something about this. We will no longer allow people to
6421 dump their boats in our waters, dump their toilets in our waters, sink their boats and
6422 whatever. It's gonna stop, and we're having a meeting where we've invited Palm Beach
6423 Shores, the Town of Palm Beach, the Town of Lake Park, Commissioner Dan Valeche.,
6424 Dan, Hal Valeche will be there, someone from the Legal Department in the county, our
6425 Legal Department, our Marine unit will be there, the Sheriff's Marine Unit, the Marine Unit
6426 from Palm Beach., Town of Palm Beach will be there and we are going to come up with
6427 a solution for this problem because it has plagued us for too long. So, I'm absolutely
6428 determined to get to the bottom of this problem and find a solution.

6429 I also wanna say Happy 4th of July to everyone. Please, again, as my colleagues
6430 have said, stay safe, stay at home if you can, wear your masks if you can, and social
6431 distance if you're out in public.

6432 **AJDOURNMENT**

6433 **Chairperson Botel:** If there is nothing else, I'll ask for a motion to [stammer]... I'm
6434 sorry. Mayor Felder, I am so sorry. I did not mean to diss., I did not mean to diss you.
6435 Do you have a comment? Oh, did I already do that? It's getting., I'm getting crazy. I
6436 didn't... Go ahead. Mayor Felder.

6437 **Councilperson Miller-Anderson:** Didn't he go? When he asked Mr. McCoy to go
6438 take., riding a bicycle?

6439 **Chairperson Botel:** Oh yea, right. Right.

6440 **Councilperson Miller-Anderson:** [Inaudible] comment.

6441 **Chairperson Botel:** Okay. Mr. Evans, see? In my sc'., in my...

6442 **Councilperson Miller-Anderson:** Mr. Evans is asleep too over there. [Chuckle].

6443 **Chairperson Botel:** No. Mr. Evans [inaudible] went like this and I thought he was
6444 reminding me that I missed Mr. Felder.

6445 **City Manager Evans:** No. I., I forgot and then I came...

6446 **Councilperson Miller-Anderson:** He dozed off.

6447 **Chairperson Botel:** I need a motion to adjourn, or are we all just in agreement that
6448 at 12:30 on a Thursday morning...

6449 **Councilperson Miller-Anderson:** So moved.

6450 **Chairperson Botel:** ...we should go to bed? Thank you. If there's no objection...

6451 **City Manager Evans:** Good morning.

6452 **Councilperson Miller-Anderson:** Good, good morning.

6453 **Chairperson Botel:** Good morning. Good night.

6454 **Councilperson Miller-Anderson:** Good night.

6455 [End Of video]

6456 **City Employees, Public Comment Speakers and Others**

6457 Chief of Police Nathan Osgood Police Chief Osgood

6458 Procurement Director Althea Pemsel Procurement Director Pemsel

6459 Finance and Administrative Services Director Randy Sherman

6460 Finance and Administrative Services Director Sherman

6461 HCT Roderick Harvey Mr. R. Harvey

6462 Grau & Associates Raquel McIntosh Ms. R. McIntosh

6463 S. Davis & Associates Tanya Davis Ms. T. Davis

6464 John Clayton

6465 Interim Fire Chief John Curd Interim Fire Chief Curd

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6467 **APPROVED:**

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6471 **RONNIE L. FELDER**
6472 **MAYOR**

6473

6474

6475 **ATTEST:**

6476

6477

6478 **CLAUDENE L. ANTHONY**
6479 **CERTIFIED MUNICIPAL CLERK**
6480 **CITY CLERK**

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6493 **MOTIONED BY:** _____

6494

6495 **SECONDED BY:** _____

6496

6497 **T. MCCOY** _____

6498 **K. MILLER-ANDERSON** _____

6499 **S. LANIER** _____

6500

6501 **J. BOTEL** _____

6502

6503 **D. LAWSON** _____

6504

6505 **DATE APPROVED:** **AUGUST 5, 2020**

6506

JULIA A. BOTEL, Ed.D
CHAIRPERSON

DOUGLAS A. LAWSON
CHAIR PRO TEM

TRADRICK MCCOY
COUNCILPERSON

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

SHIRLEY D. LANIER
COUNCILPERSON