

CITY OF RIVIERA BEACH
SPECIAL CITY COUNCIL MEETING
July 8, 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 127-130

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
MINUTES OF THE SPECIAL CITY COUNCIL MEETING
HELD JULY 8, 2020, 5:30 p.m.**

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

CALL TO ORDER

Chairperson Botel: I'd like to call order the Special City Council meeting of July 8th. It's 5:30 p.m.

ROLL CALL

Chairperson Botel: Madam Clerk, would 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? [Pause]. 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.

City Clerk Anthony: You may proceed.

Chairperson Botel: Thank you.

INVOCATION

67 **PLEDGE OF ALLEGIANCE**

68 **Chairperson Botel:** I'd like to have a moment of silence followed by the Pledge of
69 allegiance, led by Councilwoman..., Councilman Lawson.

70 [Moment of silence]

71 **Chair Pro Tem Lawson:** I pledge allegiance to the Flag of the United States of America,
72 and to the Republic for which it stands, one nation under God, indivisible with liberty and
73 justice for all.

74 **Chairperson Botel:** Thank you.

75 **Chairperson Botel:** ANY MEMBER OF THE PUBLIC WISHING TO COMMENT
76 PUBLICLY ON ANY MATTER, INCLUDING ITEMS ON THE AGENDA, SHALL
77 SUBMIT THEIR COMMENTS BY EMAIL TO CITY CLERK CLAUDENE ANTHONY AT
78 PUBLICCOMMENTS@RIVIERABEACH.ORG. THE EMAIL SHALL CONTAIN THE
79 APPLICABLE AGENDA ITEM NUMBERS, ALONG WITH THE PRICE WORDING TO
80 BE READ INTO THE RECORD. EXPLICIT LANGUAGE WILL NOT BE READ. EMAILS
81 WITHOUT APPLICABLE AGENDA ITEM NUMBERS WILL BE READ UNDER THE
82 GENERAL PUBLIC COMMENT SECTION. BE ADVISED, PUBLIC COMMENTS WILL
83 BE ACCEPTED FOR EACH APPLICABLE ITEM AND GENERAL PUBLIC COMMENT
84 SECTION UNTIL CLOSURE IS ANNOUNCED BY THE CHAIRPERSON OR THE CITY
85 CLERK.

86 ALL EMAIL ADDRESSES AND SUBMITTED COMMENTS ARE AND WILL BE
87 PUBLIC RECORD.

88 THE CITY CLERK OR DESIGNEE WILL READ PUBLIC COMMENTS INTO THE
89 RECORD AT THE APPROPRIATE TIME FOR NO MORE THAN THREE MINUTES,
90 UNLESS THE TIME LIMIT IS REDUCED BY A VOTE OF THE CITY COUNCIL BASED
91 ON THE VOLUMINOUS NATURE OF THE NUMBER OF PUBLIC COMMENTS
92 RECEIVED.

93 IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CITY CLERK'S OFFICE
94 AT 561-845-4090 OR EMAIL CROBINSON@RIVIERABEACH.ORG.

95 **Chairperson Botel:** I think, given the nat'..., given the number of comments that we
96 have, it might be appropriate, and I'll rely on our Clerk and our Attorney to give us some
97 advice. It might be appropriate to limit public comments to no more than one minute each.
98 Ms. Wynn?

99 **City Attorney Wynn:** It's the, the discretion of Council.

100 **Chairperson Botel:** Thank you.

101 **City Attorney Wynn:** You all can dec'..., decide that, yes.

102 **Chairperson Botel:** If someone wishes to make a motion, indicating that public
 103 comments will not exceed one minute?

104 **Councilperson McCoy:** Madam Chair?

105 **Chairperson Botel:** Yes.

106 **Councilperson McCoy:** How many do we have?

107 **Chairperson Botel:** Oh. Last count, I knew we were over a hundred and fifty.
 108 Madam Clerk, do you have a count on the public comments?

109 **City Clerk Anthony:** We were at approx'... Madam Chair, we have approximately
 110 two hundred public comments for this Item.

111 **Chairperson Botel:** Thank you. Mr. McCoy, did you wanna make a motion?

112 **Councilperson McCoy:** Yes, ma'am. I move...

113 **Chairperson Botel:** Thank you.

114 **Councilperson McCoy:** ...that we limit public comments to one minute.

115 **Chairperson Botel:** Mr. Lawson, would you care to second that?

116 **Chair Pro Tem Lawson:** So, Madam Chair, yes. I'll, I'll second the pub'..., I'll second
 117 the request, but I just had a, a question for Council before we move forward with that.

118 **Chairperson Botel:** Go ahead. You can ask it now.

119 **Chair Pro Tem Lawson:** Thank you. The number of comments, we have two hundred
 120 and ten comments, which will take us, at three minutes a piece, if everyone used the
 121 entire three minutes, to just over ten hours, [chuckle], in public comment, which I don't
 122 think we're gonna utilize that, that much time 'cause a lot of the public comments, from
 123 my understanding, are not that lengthy. But, I do know that a few public comments are a
 124 little bit longer in nature, and I wanted to know, how could we address that because I
 125 know we can't be bias in regards to the comments but a majority of them are gonna take
 126 anywhere between twenty and thirty seconds 'cause they're one liners, but I don't wanna
 127 limit the comments of any resident that may wanna speak a little bit more elaborately.
 128 That's my only concern, Madam Char.

129 **Chairperson Botel:** Thank you, Mr. Lawson. Madam Clerk, I think, as I recall
 130 when I listened to public comments during the Planning & Zoning meeting, most of them
 131 were under three minutes. Would you have any sense of whether most of them are under
 132 one minute? [Pause]. Madam Clerk.

133 **City Clerk Anthony:** I'm trying to take a glance. We didn't really..., Madam Chair,
 134 we did not really look at the content.

135 **Chairperson Botel:** Okay.

136 **City Clerk Anthony:** As far as the length of the comments, from what I can see
137 from the stack that I do have, because we do them separated in three stacks, what I'm
138 looking at right now, majority of them are one liners.

139 **Chairperson Botel:** Okay.

140 **City Clerk Anthony:** But we do have some that have attachments, and the
141 attachment is a letter that they want read into the record. And the other ones are, like,
142 two paragraphs. So.

143 **Chairperson Botel:** So, Ms. Wynn, do you have any advice for us on that? Is it
144 po'.., We, we, we make a blanket one minute or under and that's it or we... I see you
145 nodding. Okay. Then...

146 **City Attorney Wynn:** Yeah.

147 **Chairperson Botel:** ...I think we'll accept Mr. McCoy's motion and Mr. Lawson's
148 second and, Madam Clerk, could you call the roll, please?

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

150 **Councilperson McCoy:** Yes.

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

152 [Pause]

153 **Chairperson Botel:** He said yes. The lipreader in me says [chuckle], he said yes.

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

155 **Chairperson Botel:** Thank you.

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

157 **Chairperson Botel:** Yes.

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

159 **Chairperson Botel:** So, I think..., I think we decided that we would listen to the
160 public comments first and then have the presentation by Staff, and then have a
161 discussion by Council. I don't see any other Council Members here, so I think let's begin
162 with public comments, Madam Clerk.

163 **City Clerk Anthony:** Madam Chair, you do have your other Items on the Agenda
164 that you need to go through, like the...

165 **Chairperson Botel:** Oh, oh.

166 **City Clerk Anthony:** ...adoption of the Agenda.

167 **Chairperson Botel:** I'm sorry. We do need to adopt the Agenda. Can..., [stammer]
 168 just think so obsessed with this one Item. Would someone care to make a motion to
 169 adopt the Agenda?

170 **Councilperson McCoy:** Move to adopt the Agenda.

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

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

173 **Chairperson Botel:** Yes, Ms. Wynn.

174 **City Attorney Wynn:** Did you... Madam Clerk, did, did the Chair go through
 175 additions, deletions, disclosures, all of that? Prior to...

176 **Chairperson Botel:** No.

177 **City Attorney Wynn:** ...adoption of the Agenda? Okay.

178 **AGENDA APPROVAL**

179 **ADDITIONS, DELETIONS, SUBSTITUTIONS**

180 **Chairperson Botel:** So, does anybody have any additions, deletions or
 181 disclosures? Anybody have..., from either the Mayor or Council? No. Okay.

182 **DISCLOSURES BY COUNCIL**

183 **ADOPTION OF AGENDA**

184 **Chairperson Botel:** So, could we..., we have..., we had a motion to adopt the
 185 Agenda.

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

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

188 **Chairperson Botel:** Yes. Mr. Lawson.

189 **Chair Pro Tem Lawson:** Madam Chair, disclosure. Just, I have had numerous
 190 conversations with residents..., residents throughout Riviera Beach in reference to this
 191 Article. So I just wanted to make sure that was on the record as well.

192 **Chairperson Botel:** Thank you. I have as well. I figure [chuckle] all of us have, at
 193 this point.

194 **Chair Pro Tem Lawson:** All of us...

195 **Chairperson Botel:** I'm, I'm sure. Mr. McCoy...

196 **Chair Pro Tem Lawson:** ...Madam Chair.

197 **Chairperson Botel:** ...and you also have had conversations with people about it?

198 **Councilperson McCoy:** Actually, I guess they knew not to ask me 'cause I, I
199 [stammer]...

200 **Chairperson Botel:** [Chuckle]. Okay. So, please call the roll, Madam Clerk.

201 **City Clerk Anthony:** Councilperson...

202 **Chairperson Botel:** Adopting...

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

204 **Chairperson Botel:** ...the Agenda.

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

206 **Councilperson McCoy:** Yes.

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

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

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

210 **Chairperson Botel:** Yes.

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

212 **Chairperson Botel:** Thank you. And now, we can have those two hundred and
213 ten public comments.

214 **City Clerk Anthony:** Madam Chair, prior to reading the public comments, I needs
215 to read the heading of the Ordinance into the record.

216 **Chairperson Botel:** Okay. Oh, do we also have to make a motion, and then we
217 can have the public comments? We...

218 **City Attorney Wynn:** [Inaudible].

219 **Chairperson Botel:** Okay.

220 **CONSENT AGENDA**

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

226 **MINUTES**

227 **RESOLUTIONS**

228 **END OF CONSENT AGENDA**

229 **UNFINISHED BUSINESS**

230 **PETITIONS AND COMMUNICATIONS FOR FILING**

231 **AWARDS AND PRESENTATIONS**

232 **PUBLIC HEARINGS**

233 **ORDINANCES ON FIRST READING**

234 **Chairperson Botel:** Go ahead, Madam Clerk. You can read the Ordinance.

235 1. City Clerk Anthony: ORDINANCE NUMBER 4147 AN ORDINANCE OF
236 THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,
237 FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES
238 ENTITLED, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", BY CREATING A
239 NEW ZONING DISTRICT ENTITLED, "SP SPECIAL PRESERVATION DISTRICT",
240 COINCIDING WITH THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE
241 ELEMENT FOR SPECIAL PRESERVATION AREAS; AND AMENDING CHAPTER 31,
242 ARTICLE V, DIVISION 1, ENTITLED "GENERALLY", SECTION 31-96, DESIGNATION
243 OF DISTRICTS", BY ADDING REFERENCE TO THE "SP SPECIAL PRESERVATION
244 DISTRICT"; AND AMENDING CHAPTER 31, ARTICLE V, DIVISION 1,
245 "GENERALLY", SECTION 31-97, ENTITLED "OFFICIAL ZONING MAP AND ZONING
246 DISTRICT BOUNDARIES", BY AMENDING THE CITY'S ZONING MAP BY
247 ASSIGNING A SPECIAL PRESERVATION ZONING DISTRICT DESIGNATION TO
248 ANY AND ALL LAND AREA CURRENTLY HAVING A SPECIAL PRESERVATION
249 FUTURE LAND USE DESIGNATION ACCORDING TO THE CITY'S
250 COMPREHENSIVE PLAN AND FUTURE LAND USE MAP, IN ORDER TO PROVIDE
251 CONSISTENCY BETWEEN THE CITY'S FUTURE LAND USE MAP AND ZONING
252 MAP, WHICH WILL IMPACT REAL PROPERTY OR PORTIONS THEREOF, LOCATED
253 NORTH OF PINE POINT ROAD AND WEST OF NORTH OCEAN DRIVE IN THE CITY
254 OF RIVIERA BEACH; PROVIDING FOR SEVERABILITY AND CONFLICTS;
255 PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

256 **JEFF GAGNON, DEVELOPMENT SERVICES ASSISTANT DIRECTOR, 561-845-4060**

257

258 **City Clerk Anthony:** Madam Chair, we do have public comment cards on this Item.
259 The acceptance of public comments on this Item is now closed.

260 **Chairperson Botel:** Thank you, Madam Clerk. You can read the public comments
261 now. Thank you.

262 **City Clerk Anthony:** Madam Chair, prior to going into public comments, we do
263 need a motion.

264 **Chairperson Botel:** Oh, I thought Ms. Wynn said we didn't really need a motion.

265 **City Attorney Wynn:** I'm sorry. I misunderstood you. I thought you meant a motion
266 to take public comment before your...

267 **Chairperson Botel:** Oh, oh. No.

268 **City Attorney Wynn:** ...[inaudible] discussion.

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

270 **City Attorney Wynn:** But, yes.

271 **Chairperson Botel:** Okay.

272 **City Attorney Wynn:** You need a...

273 **Chairperson Botel:** Would...

274 **City Attorney Wynn:** ..a motion and a second.

275 **Chairperson Botel:** Thank you.

276 **Chair Pro Tem Lawson:** So moved.

277 **Chairperson Botel:** Anyone wanna... Thank you.

278 **Councilperson McCoy:** Second.

279 **Chairperson Botel:** Thank you. I'm just so anxious to get to the public comments.

280 [Chuckles]

281 **Chairperson Botel:** Thank you, Madam Clerk.

282 **City Clerk Anthony:** [Chuckle]. You're welcome, Madam Chair. Our first public
283 comment comes from Susan Bennett, email address sbennett101h@icloud.com.

284 I support the creation of the Special Preservation District, which is in line with the
285 City's Comprehensive Plan.

286 Our next public comment comes from Rita Borraccio, email address
287 borraccio@hotmail.com.

288 Dear Council, I support the creation of the Special Preservation District for Singer
289 Island's intracoastal waters, to be included with the City's Comprehensive Plan.

290 Sincerely, Rita Borraccio, Condado, Inc. of Singer Island

291 Our next public comment is from Elvira Borraccio, email address,
292 eboraccio@gmail.com.

293 Dear Council, I support the creation of the Special Preservation District for Singer
294 Island's intracoastal waters to be included with the City's Comprehensive Plan.

295 Sincerely, Pasquale and Elvira Borraccio, Condado, Inc. of Singer Island.

296 Our next public comment comes from Tim Clemens. The email address is
297 tclemens7@gmail.com

298 Riviera Beach City Council, my name is Tim Clemens. Our family has a
299 condominium on Singer Island in the small Condado community. We would like read into
300 the public comments at the next City Council meeting, which is regarding this Item, that
301 we are against Lozman and Taylor development and strongly support the creation of a
302 Special Preservation District.

303 Thank you. Tim Clemens, 5060 North Ocean Drive, Unit 204, Riviera Beach.

304 The next public comment comes from Larry Clemens., email address,
305 lhookshot@gmail.com.

306 Riviera Beach City Council, my name is Larry Clemens. I own a condominium at
307 5060 North Ocean Drive, Unit 204 on Singer Island in, in., in the Condado community.
308 Please read into the public comments at the next City Council meeting that I am strongly
309 against any and all of the proposed floating communities, and strongly support the
310 creation of a Special Preservation District.

311 Thank you...

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

313 **City Clerk Anthony:** ...Larry Clemens.

314 **Chairperson Botel:** Please let the record show that Councilperson Lanier and
315 Councilwoman Miller-Anderson are on the dais. Thank you. Sorry for interrupting.

316 **City Clerk Anthony:** Thank you, Madam Chair. Larry..., Larry Clemens, 5060 North
317 Ocean Drive, Unit 204, Riviera Beach.

318 Our next public comment comes from Jeff Hammerer, email address
319 jphammerer@aol.com. Please read into the June 17th Zoning Board meeting.

320 I fully support the creation of a Special Preservation District to coincide with the
321 City of Riviera Beach, Florida Comprehensive Plan.

322 Jeffrey P. Hammerer, 5060 North Ocean Drive, Riviera Beach.

323 **Councilperson McCoy:** Madam Chair?

324 **Chairperson Botel:** Yes, Mr. McCoy.

325 **Councilperson McCoy:** This gentleman referenced the 17th of June Planning & Zoning
326 Board meeting. Is it possible that public comments may have gotten intermingled?
327 Because he clearly said Planning & Zoning Board meeting.

328 **City Clerk Anthony:** Madam Chair, if I may? In, in response to Mr. McCoy's
329 request, we began receiving comments regarding this Item as early as June 1st. The Item
330 that said June 17th, pub'..., P&Z meeting, there was no P&Z meeting on June 17th, that
331 was the City Council meeting in which this Item originally appeared on.

332 **Councilperson McCoy:** Okay.

333 **Chairperson Botel:** Thank you.

334 **City Clerk Anthony:** You're welcome. Our next public comment is Nita Dry, email
335 address nitadry1@aol.com.

336 I support the creation of the Special Preservation District to coincide with the City's
337 Comprehensive Plan.

338 Nita Dry, Todd Dry, Sandra Dry, Brandon Dry, Sterling Lee.

339 Our next public comment comes from Libby Ryan, email address,
340 libco129@att.net.

341 My husband and I have owned property on Singer Island since 2008. His father
342 first bought a condominium in the City..., in this City in 1978. It has been exciting to see
343 the enthusiasm of Riviera Beach residents having a voice in continued development and
344 beautification of the City. Many residents and visitors and have commented how, how
345 much nicer the City is then it was years ago. More than ever, it..., it's important to continue
346 the improvement and preservation of all aspects of the City's footprint.

347 The coastal ecosystem of Riviera Beach is important to the entire City for
348 numerous reasons. First of all, coastal ecosystems are habitats that are spawning ground

349 for many different species. They are also the home to numerous kinds of plants. Like
350 any ecosystem, when one aspect is damaged, everything else is affected. Pollution of
351 our coastal environment limits the ability of res'.., for residents to use beaches for
352 economic, recreational and aesthetic purposes. Pollution degrades and destroys the
353 unique beach habitat...

354 Madam Chair, the time is up for the reading of that public comment.

355 The next public comment comes from Thomas W. Mayers., email address
356 landsendnmarina@mac.com.

357 Too many people, not enough nature. Protect your property values by protecting
358 the nature that gives you a healthy, environmentally sound place to live.

359 Thom Mayers, Apt. 3, 7250 Gulf of Mexico Drive, Longboat Key, Florida..

360 Next public comment, Stephen Neidell, email address spneidell@gmail.com.

361 Please read my comment into the record for the June 17th meeting. I support the
362 creation of the Special Preservation District to coincide with the City's Comprehensive
363 Plan.

364 Thank you. Stephen Neidell.

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

366 **City Clerk Anthony:** Our next pub'...

367 **Councilperson McCoy:** Okay. So...

368 **Chairperson Botel:** Go ahead, Mr. McCoy.

369 **Councilperson McCoy:** Again, these people are referencing a June 17th meeting. If
370 by some chance they were mistaken in thinking that the P&Z meeting was on June 17th,
371 how does that default to now be placed on as a public comment for the June.., even if
372 you take the last meeting we had, which would've been...

373 **City Clerk Anthony:** Madam Chair, at the June 17th meeting, it was discussed by
374 the Board whether or not to take the comments that were submitted for that Item for that
375 meeting, whether they would be con'.., read into the record for this meeting, and the Board
376 said yes.

377 **Chairperson Botel:** Thank you. Ms. Wynn, did you wanna say something about
378 that? No. Okay. Mr. McCoy, is that.., does it.., does that answer your issue? [Pause].
379 Mr. McCoy, does that answer your issue? [Pause]. We're not hearing you.

380 **Councilperson McCoy:** Sorry. I'm getting a lot of feedback. I'm not sure if it's on my
381 end.

382 **Chairperson Botel:** Well, [inaudible]... It's on your end, Mr. McCoy 'cause it only
383 comes on when you turn your mic on. Would you continue, Madam Clerk, please.

384 **City Clerk Anthony:** Joseph Badda, email address jabadda@icloud.com.

385 For the public record of Riviera Beach, I support the creation of the Special
386 Preservation District to align with the City's revised Comprehensive Plan.

387 Respectfully, Joseph and Regina Badda, residents Singer Island, Riviera Beach,
388 Florida.

389 Our next public comment is from Randy Bradley, email address
390 rhbradley@comcast.net.

391 I support the creation of the Special Preservation District to coincide with the City's
392 Comprehensive Plan.

393 Thank you, Randy Bradley, 5080 North Ocean Drive, 9C, Riviera Beach, Florida.

394 Our next public comment comes from L. Ink , L.K., email address linklk@aol.com.

395 Please read into the record at the June 17th City Council meeting. We strongly
396 support the creation of a Special Preservation District to coincide with the City's
397 Comprehensive Plan.

398 Thank you, Linda K., Link, John F. Duvall, 1090 Morse Boulevard, Riviera Beach.

399 Our next public comment comes from Marie Sailor, email address
400 marie.sailor@tramo.com.

401 We support the creation of the Special Preservation District to coincide with the
402 City's Comprehensive Plan. We ask that our comments be read into the June 17th
403 meeting.

404 Michael and Marie Bosito, 5280 North Ocean Drive, Singer Island.

405 Madam Chair, I would like to apologize to the residents if I butchered their name.
406 [Chuckle].

407 Our next public comment comes from Merle Neidell, email address
408 harbordelll@yahoo.com.

409 Please enter for the public record my support for the creation of the Special
410 Preservation District to coincide with the City's Comprehensive Plan.

411 Thank you, Merle Neidell, 5550 North Ocean Drive, Riviera Beach.

412 Our next comment comes from arnow@panic.com [sp].

413 Please enter in the public record my support for the creation of a Special
414 Preservation District to coincide with the City Comprehensive Plan.

415 Sincerely, David Arnow, 5550 North Ocean Drive, Riviera Beach.

416 Our next public comment comes from Lee Innocenti.

417 I support the Special Preservation Zone and request my comment be read into the
418 June 17th meeting. Please don't let [inaudible] and Taylor tear up our coastline on North
419 Ocean Drive. Thank you.

420 Sincerely, Lee Innocenti, 3800 North Ocean Drive.

421 Our next public comment comes from Carol Bruce, email address,
422 carolbruce@aol.com.

423 Please enter, for the public record, our support for the creation of the Special
424 Preservation District to coincide with the City's Comprehensive Plan.

425 Thank you. Carol and Thomas Bruce, 5550 North Ocean Drive, Riviera Beach.

426 Our next public comment comes from Jolene Roberts, email address
427 thetriplej@cox.net.

428 Councilpersons, I am familiar with the issues on, along the Singer Island North
429 Ocean Drive. I support the Special Preservation Zone and request my comment be read
430 into the June 17th meeting.

431 Thank you for your help in solving this issue for our Island. Jolene Roberts, 3800
432 North Ocean Drive, Singer Island.

433 Our next public comment comes from N. Lawlor, email address
434 nalawlor@comcast.net.

435 Riviera Beach Council Members, I support the creation of the Special Preservation
436 District to coincide with the City's Comprehensive Plan. Please read this at the June 17th
437 meeting.

438 Regards, Nicholas Lawlor, 3000 North Ocean Drive, Apartment 28G, Riviera
439 Beach.

440 Our next public comment comes from Ann Krogulski at..., and the email address is
441 akkrog@hotmail.com.

442 We support the Special Preservation Zone and request our comment be read into
443 the June 17th meeting.

444 Thank you for your help. Ken and Ann Krogulski, 3800 North Ocean Drive.

445 Our next public comment comes from J.K., email address jklaser2@gmail.com.

446 I support the Special Preservation Zone and request my comment be read into the
447 June 17th meeting.

448 Thank you. John Kom [sp].

449 Our next public comment comes from C.G., email address
450 clairegranowitz@yahoo.com.

451 Please read my comment at the June 17th meeting. I support the creation of the
452 Special Preservation District to coincide with the City's Comprehensive Plan. I hope you
453 will make it a reality.

454 Thank you. Claire Granowitz.

455 Our next comment comes from Hemit Nampia [sp], email address
456 napier@aol.com.

457 I am in full support of the Special Preservation Zone and request my comment be
458 read into the June 17th meeting.

459 Sincerely, Hemit and [Inaudible] Nampia, 3920 North Ocean Drive, Riviera Beach.

460 The next public comment comes from Dawn D'Auria, email address
461 dawnmdauria@gmail.com.

462 Please, please, please vote yes to create a Special Conservation District north of
463 Pine Point Road and west of North Ocean Drive in Riviera Beach, Florida.

464 Dawn D'Auria, resident.

465 The next public comment comes from Fred Goldberg, email address
466 drfreddyg@aol.com.

467 I support the creation of the Special Preservation District to coincide with the City's
468 Comprehensive Plan.

469 Fred Goldberg Tiara

470 Our next comment comes from Denise Reavis, email address
471 denise.reavis@gmail.com.

472 I support the Special Preservation Zone and request my comment be read into the
473 June 17th meeting.

474 Denise Reavis, 3800 North Ocean Drive, Apartment 651, Singer Island.

475 Our next public comment comes from Kimberly LeCompte, email address
476 kimberlybl2000@aol.com.

477 I am in support of the Singer Island Preservation Zone.

478 Sincerely, Kimberly LeCompte.

479 Our next public comment comes from email address fcw55@aol.com.

480 To Whom It May Concern, as a resident of Singer Island, I support the Special
481 Preservation Zone. I would appreciate your support also. Thank you for your
482 consideration. [Stammer].., please read my comments in of the record at the June 17th
483 meeting.

484 Again, thank you. Frank Watson.

485 Our next public comment comes from Gary Kurzbard, email address
486 love15787@comcast.net.

487 I support the creation of the Special Preservation District to coincide with the City's
488 Comprehensive Plan. Please add my support at the June meeting.

489 Sincerely, Gary Kurzbard

490 Our next email address..., email public comment comes from Ben Allen, email
491 address bfa021465@gmail.com.

492 My name Ben Allen and I am a resident of Singer Island at 3800 North Ocean
493 Drive. I want to unambiguously communicate my support for the proposed Preservation
494 Zone and would like my support included in the record.

495 Best, Ben Allen.

496 Our next public comment comes from Jane Broyles, email address
497 jane@bertssquare.com [sp].

498 I support the Special Preservation Zone and request my comment be read into the
499 Minutes on the June 17th meeting.

500 Respectfully, Jane and Roy Smith, 3800 North Ocean Drive.

501 Our next public comment comes from Nina, email address
502 naggarwal100@gmail.com.

503 To Whom It May Concern, I support the Special Preservation Zone and request
504 my comment be read into the June 17th meeting.

505 Nina Aggarwal, 3800 North Ocean Drive, Singer Island.

506 Our next public comment comes from Gary Landowne, email address
507 glandowne@gmail.com.

508 As a permanent full-time resident of Singer Island, I strongly support approval of
509 the Special Preservation Zoning Ordinance.

510 Gary Landowne.

511 Our next public comment comes from Tom [Inaudible] email address
512 trdaydream2@aol.com.

513 Please read this letter of support by Mary and Tom [Inaudible] of Aquarius
514 Condominium of Singer Island. Wetlands occupy a special position in restoration ecology
515 because they have been affected by so many disturbances and because they fall under
516 regulations that require mitigation of [stammer] future damage. Their function is providing
517 habitats for fish, birds, and other wildlife that contributing the maintenance of biodiversity
518 that must be protected. Please vote to support the creation of the Special Preservation
519 Zone.

520 Our next public comment comes from Arlen Stroker, email address
521 seaviews1@comcast.net.

522 Good afternoon all, would you please read into the record for June 17th meeting.
523 We support the creation of the Special Preservation District to coincide with the City's
524 Comprehensive Plan.

525 Best regards, Mr. & Mrs. Gilbert Stroker, Singer Island residents.

526 Our next public comment comes from Clara Capp, email address
527 claracapp.4@gmail.com.

528 To Whom It May Concern, I'm writing in support of the creation of the Special
529 Preservation Zoning Ordinance to coincide with the City's Comprehensive Plan.

530 Clara Cappiola, 5420 North Ocean Drive, No. 2205, Singer Island.

531 Our next public comment comes from Pamela Poppos, email address
532 pamela.poppos@att.net.

533 I support the Special Preservation Zone and request my comment to be read into
534 the June 17th meeting.

535 Pamela Poppos.

536 Our next public comment comes from Tara Hegarty, email address
537 ta719@comcast.net.

538 Please enter, for the public record, my support for the creation of the Special
539 Preservation District to coincide with the City's Comprehensive Plan.

540 Tara Hegarty, 5550 North Ocean Drive, 2C, Riviera Beach.

541 Our next public comment comes from Rita Hill, email address,
542 manor1805@aol.com.

543 Dear Council Members, I would like to voice my opinion with regard to the Special
544 Preservation Zoning Ordinance. I ask that you take this matter into very serious
545 consideration and vote in a positive manner to pass it.

546 Thank you. Rita Hill, Singer Island resident.

547 Madam Chair, I also want to advise the Board that we did our very best to take out
548 any duplicates. However, things start looking the same so we may have left some in
549 there.

550 Our next public comment comes from Rachel Shalmon. The email address is
551 rachel.shalmon@rogers.com.

552 I would like my support note to be read in the June 17th first vote meeting. I've
553 seen dolphins, blue heron and many more wildlife in the Singer Island Lagoon. It is crucial
554 to protect the beautiful lagoon from development. I fully support the Special Preservation
555 Zoning in the lagoon.

556 Rachel Shalmon, 5420 North Ocean Drive, No. 1705, Singer Island.

557 Our next public comment, and I'm going to mess up this name, Bahad [sp]
558 [Inaudible], email address is bkaramch@gmail.com.

559 As residents, we support the creation and adoption of the Special Preservation
560 District to coincide with the City's Comprehensive Plan.

561 Our next public comment comes from Yarue Shalloman, email address
562 yarem.shalloman@gmail.com.

563 Please read into the record for the June 17th meeting. The wetlands of Singer
564 Island are a unique environment which should be preserved for the generations to come.
565 I am a unit owner in Singer Island and a taxpayer, and I support the creation of the Special
566 Preservation District to coincide with the City's Comprehensive Plan.

567 Thank you. Best regards, Yarem Shalloman.

568 Our next public comment comes from The Gypsy. The email address is
569 thegypsy@aol.com.

570 I support the Special Preservation Zoning Ordinance. All of us living on both sides
571 of Lake Worth Lagoon have worked for years to keep those areas pristine and natural.

572 Dian Riley, 5420 North Ocean Drive, Apartment 204, Riviera Beach.

573 Our next public comment comes from Angela Domino, email address
574 angela.domino@yahoo.com.

575 Good morning. I live at 4200 North Ocean Drive in Cote D'Azur.

576 I have noticed signs of floating home's destruction of mangroves and laying of sand
577 within the past weeks and months. I observed, also what looked like the beginnings of a
578 structure with dock space. As an avid outdoor person and angler, I am appalled that
579 building on the lagoon would even be considered, and destruction of mangroves by
580 chainsaw allowed. It is imminent that a stop be put to this and to protect the lagoon for
581 future generations and wildlife.

582 Regards, Concerned Resident, Angela Domino.

583 Our next public comment comes from Craig White, email address
584 whitecraigm@gmail.com.

585 We request the following message of support for the creation the Special
586 Preservation District for the Lake Worth Lagoon be read into the record. We live in
587 Connemara Condominium on Singer Island at 5420 North Ocean Drive in a unit that faces
588 Lake Worth Lagoon. Thank you for removing the floating houseboat that was there. We
589 were saddened every time we looked out our window and saw how it marred the natural
590 beauty of the lagoon. We watched the sunset on the lagoon every evening, and especially
591 enjoyed watching the migratory birds that make the lagoon their home during the winter.
592 We strongly support the effort to prev'.., prevent the presence of unsightly, ecologically
593 damaging structures to ever be built on this naturally beautiful lagoon.

594 Thank you. Craig and Rena White, 5420 North Ocean Drive, Unit 905, Singer
595 Island.

596 Our next public comment comes from John Lidington, email address
597 waveland@comcast.net.

598 Gentlepersons, please enter for the public record, our support for the creation of
599 the Special Preservation District to coincide with City's Comprehensive Plan.

600 Thank you, John and Marybeth Lidington, 3600 North Ocean Drive, No. 222.

601 Our next public comment comes from Dalia Taylor, dalia.taylor1@gmail.com.

602 I support the Special Preservation Zone and request my comment be read into the
603 June 17th meeting.

604 Sincerely, Dalia Taylor, 1252 3800 North Ocean Drive.

605 Our next public comment comes from Elizabeth Diane Buhler, email address
606 dianabell1@aol.com.

607 Hello. I am writing to please ask you to save the beautiful lagoon on'.., of Singer
608 Island. No more development, please. The ecology and natural beauty need you to keep
609 it safe. Please vote to save the lagoon.

610 Elizabeth Buhler, 33404.

611 Our next public comment comes from B. Wall, email address bfwall820@aol.com.

612 Please read into the June 17th meeting's public comments. I, Bonnie Wall, support
613 the creation of the Special Preservation District to coincide with the City's Comprehensive
614 Plan.

615 Thank you. Bonnie Wall, 3000 North Ocean Drive, No. 33A, Riviera Beach.

616 The next public comment comes from Peter Rosenfield, email address
617 peter@prtinfo.co.uk.

618 We visited Riviera Beach/Singer Island as vacationers more than ten years and
619 love the lagoon/bay/ocean and everything the area offered. In 2017, we purchased a
620 condo to reside and have a special place to visit for our family, for many years to come.
621 We were very dismayed to hear about proposals to develop part of the area and are very
622 concerned that this will not just affect the natural beauty and marine life that habits the
623 area, but long-term property values.

624 Our family one hundred percent support the creation of the Special Preservation
625 District to coincide with the City's Comprehensive Plan.

626 Thank you, Peter and Amanda Rosenfield Family, 9D, 5550 North Ocean Drive,
627 Riviera Beach.

628 Our next public comment comes from Mella Parks [sp], email address
629 mellaparks@icloud.com.

630 I fully support the Special Preservation Zone and request my comments be read
631 into the June 17th meeting. Do not, the word not in all capital letters, destroy our north
632 ocean coast on Singer Island.

633 Our next public comment comes from Michael Sedor, email address
634 sedormichael@yahoo.com.

635 I support.., this email is in all caps. I support the creation of Special Preservation
636 Zoning District to coincide with the City's Comprehensive Plan.

637 Sincerely, Michael R. Sedor.

638 Our next public comment comes from Tillman Black, email address
639 tillman22@icloud.com.

640 Support the creation the Special Preservation District to coincide with the City's
641 Comprehensive Plan.

642 The next public comment comes from Petra Neues, M.D., email address
643 neuesmd@yahoo.com.

644 To the Singer Island.., to the City of Singer Island and Singer Island community. I
645 have been an owner on Singer Island since 1976 and enjoyed the healthy natural areas,
646 including the Singer Island Lagoon, as do so many nonresidents who come to Singer
647 Island to kayak, fish, paddleboard, boat watch.., boat watching the incredible sunsets,
648 etc., with great [audio skipped]. Please preserve our wetlands. Destroying the
649 mangroves will destroy our beautiful ecosystem that was there long before Singer Island
650 had residents. Nature was here first, we came second. Let us not be growth and power
651 hungry and preserve what is left.

652 Respectfully, Petra Neues, M.D., owner and all year resident on Singer Island.

653 Our next public comment comes from John Boyle, email address
654 jboyle246@gmail.com.

655 To Riviera Beach Council, I support the Special.., Special Preservation Zone and
656 request my comment be read into the June 17th meeting.

657 Sincerely, John Boyle, 3800 North Ocean Drive, Riviera Beach.

658 Our next comment comes from Jeff, email address jjsmith_wa@yahoo.com.

659 I support the creation of the Special Preservation District. Keep the lagoon pristine.
660 No development.

661 J. Smith, 1240 Dolphin Road, Riviera Beach.

662 The next public comment comes from Norm Adams, email address
663 nbasox@icloud.com.

664 Please note that I, and probably the overwhelming majority of Singer Island
665 residents, strongly support the creation of the Special Preservation District to coincide
666 with the City's Comprehensive Plan.

667 Thank you, Norm Adams, Riviera Beach.

668 Our next public comment comes from Carol Friedman, email address
669 cfriedman7@icloud.com.

670 I support the creation of the Special Preservation Area and keeping with the Master
671 Plan of Riviera Beach.

672 Carol Friedman, Connemara.

673 Our next public comment comes from rdanielr@earthlink.net.

674 Hello. I am a resident of Singer Island and I am concerned about protecting the
675 wetlands of Lake Worth Lagoon. I ask that you add my comments to the list of those to
676 be read at the City meeting on 6-17-20. In all caps, I heartly support the creation of the
677 Special District of Preservation to coincide with the City's Comprehensive Plan.

678 Thank you, Ralph Daniel Ra, 5420 North Ocean Drive, Unit 2405, Riviera Beach.

679 Our next public comment comes from Renee Lynch, email address
680 renee2468@gmail.com.

681 Please approve the zoning to, to special preservation status to match the City's
682 Comprehensive Plan.

683 Thank you, Renee Lynch, 1111 Pine Point Road, Singer Island.

684 Our next public comment comes from Ashley Lynch, email address
685 ashleyangel2468@gmail.com.

686 Please approve the zoning to special preservation status to match the City's
687 Comprehensive Plan.

688 Thank you, Ashley Lynch, 1111 Pine Point Road, Singer Island.

689 Our next public comment comes from Avedos Lynch.

690 Please approve the zoning to special preservation status to match the City's
691 Comprehensive Plan.

692 Thank you, Alissa Lynch, 1111 Pine Point Road, Singer Island. The email address
693 for this public comment is lynchalissa10@gmail.com.

694 Our next public comment comes from Mike Green, email address
695 mikegreen@tmgtsvcs.com.

696 Please approve the zoning to special preservation status to match the City's
697 Comprehensive Plan.

698 James Green, 1251 Pine Point Road, Riviera Beach.

699 Our next public comment comes from Judy Holly.

700 Please approve the zoning of the submerged land regarding special preservation
701 to match the City's Comprehensive Plan.

702 Sincerely, Dr. Eugene and Judy Holly.

703 Our next public comment comes from Suka 3, email address suka3@comcast.net.

704 To Members of the Riviera Beach City Council, I am writing to implore the City
705 Council to approve the zoning of the submerged land to match the City's Comprehensive
706 Plan, which is designated special preservation.

707 Thank you, Susan Cobalt [Inaudible], 1061 Pine Point, Riviera Beach.

708 Again, Madam Chair, I apologize for butchering anybody's name. [Chuckle].

709 Our next public comment comes from Nicole Prokopetz, email address
710 nprokopetz@comcast.net.

711 Please approve the zoning to special preservation status to match the City's
712 Comprehensive Plan.

713 Best regards, Nichole Prokopetz, 1231 Pine Point Road, Riviera Beach.

714 The following public comment comes from mprokopetz@comcast.net.

715 Please approve the zoning to special preservation status to match the City's
716 [stammer] Comprehensive Plan.

717 Best regards, Michael Prokopetz, 1231 Pine Point Road, Riviera Beach.

718 The next public comment also comes from nprokopetz@comcast.net.

719 Please approve the zoning to special preservation status to match the City's
720 Comprehensive Plan.

721 Best regards, Quentin Prokopetz, 1231 Pine Point Road, Riviera Beach.

722 The next public comment comes from mprokopetz@comcast.net.

723 Please approve the zoning to special preservation status to match the City's
724 Comprehensive Plan.

725 Best regards, Lexa Prokopetz, 1231 Pine Point Road, Riviera Beach.

726 The following public comment comes from Renee Delgado, 1030 Pine Point Road,
727 Singer Island.

728 Please approve the zoning to special preservation status to match the City's
729 Compr'.., Comprehensive Plan.

730 Email address is rendel007@gmail.com.

731 Our next public comment comes from The Growth Project, email address
732 thegrowthproject2019@gmail.com.

733 We would like to submit our public comment to be read into the record for the June
734 17th Zoning Board meeting. As an environmental awareness organization, based here
735 out of Riviera Beach, we wholeheartedly support the creation of the Special Preservation
736 District to coincide with the City's Comprehensive Plan. It is of utmost importance that
737 the Zoning Board vote to approve this Special Preservation Zoning Ordinance.

738 Our next public comment comes from Paul Fotek, email address
739 fotekp@gmail.com.

740 Regarding public comments Ordinance 41-47. Please approve the zoning to
741 special preservation status to match the City's Comprehensive Plan.

742 Regards, Dr. Paul Fotek, 1181 Pine Point Road, Riviera Beach.

743 The next public comment comes from email address jfvaldiviajr@aol.com.

744 Please approve the zoning to preservation..., special preservation status to match
745 the City's Comprehensive Plan.

746 Jose F. Valdivia, Jr., 1121 Pine Point Road, Riviera Beach.

747 Our next public comment comes from Mike Blasdell, email address
748 blaze@mineharbor.com, [stammer]..,

749 City of Riviera Beach City Council Members and City Manager, I ask you please
750 read this message into the meeting Minutes for my public comment and my sincere hope
751 is that you will vote to support the creation of the Special Preservation District to coincide
752 with the City's Comprehensive Plan and help us all work to safeguard and protect our
753 area's vital aquatic assets.

754 With thanks for your service in our community, Mike Blasdell, 1150 Gulfstream
755 Way, Riviera Beach.

756 Our next public comment comes from Steve Craig, email address
757 steve@scraig.us.

758 Please approve the zoning to special preservation status to match the City's
759 Comprehensive Plan.

760 Steven L. Craig, 1091 Pine Point Road, Riviera Beach.

761 Our next public comment, Lucy Seton, email address lucyseton@yahoo.com.

762 Dear City of Riviera Beach City Council Members and City Manager, I ask that you
763 please read this message into the meeting Minutes for my public comment on for
764 Ordinance 41-47. And my sincere hope is that you will vote to support the creation of the
765 Special Preservation District to coincide with the City's Comprehensive Plan and help us
766 all work to safeguard and protect our area's vital aquatic assets.

767 With thanks for your service in our community, Lucia Seton.

768 Our next public comment comes from madwire@aol.com.

769 Please read at June 17 City Council meeting. I support the creation of the Special
770 Preservation District to coincide with the City's Comprehensive Plan.

771 Fred G. Wall, 3000 North Ocean Drive, Riviera Beach.

772 Our next public comment comes from tpkos@netzero.net.

773 Please approve the zoning to special preservation status to match the City's
774 Comprehensive Plan.

775 Thank you. Patty and Thomas [Inaudible], 1151 Pine Point Road, Singer Island.

776 Our next public comment comes from J. Eplee, 2837, email address
777 jeplee@hotmail.com.

778 I'm hoping that the City Council will see the numerous environmental importance
779 of creating a Special Preservation District to keep the lagoon area healthy for future
780 generations. Thank you for your work on this matter, as well as everything else that
781 comes before the Council.

782 Mary Jane Eplee, 5070 North Ocean Drive.

783 Our next public comment comes from Jamie Lehman, email address
784 jamiel40@comcast.net.

785 Dear City Council, when considering zoning changes to the Singer Island Lagoon,
786 could you kindly consider the possible implementation of a City fish farm as noted in the
787 link blow. We need to help our community in meaningful, long-term ways.

788 Email., web address www.cityfarmfish.com. We are City Farm Fish. We are a
789 highly motivated team looking to transform cities around the world with urban agriculture
790 and aquaponics over the past ten years. We have been working in horticulture,
791 engineering, architecture, law, business development and fundraising and marketing.

792 Our next public comment comes from Nicholas Lama, email address
793 nicholslama@gmail.com.

794 Please approve the zoning to special preservation status to match the City's
795 Comprehensive Plan.

796 Our next public comment comes from L. Smith, email address
797 lena_newcastle@yahoo.com.

798 I support pristine, no development of the mangrove in Rivera Beach.

799 Our next public comment is from Sally O'Callaghan, email address
800 ssally.ocallaghan@gmail.com.

801 Subject lagoon. The proposed development of the lagoon will result in increased
802 traffic and reduce parking in an already saturated community. Development for
803 development sake will compromise the experience/value of legacy property owners.
804 Additionally, the construction and associated vehicles will resu'.., result in months of
805 aggravating tra'.., traffic patterns, the displacement of wildlife into residential areas, and
806 disruption to businesses that have only recently begun to reopen.

807 In short, this neither the time nor the place for this proposed development that will
808 most assuredly be a blight to the landscape that was [stammer].., that was a desired
809 feature for those of us who chose to buy here, and who will reluctantly be, be force to
810 relocate elsewhere.

811 Our next public comment comes from James Ryan, email address
812 jdr@ryanlawgroup.net.

813 Please read the attached comment during the public comment section of tonight's
814 public hearing.

815 Regards, James D. Ryan, Esq., Florida bar board certified in business litigation.

816 Apparently, the City is being advised the law requires the City to rezone and taking
817 this private property. We all know the state and U.S. Constitutions require a payment
818 when a taking occurs. When the City adopted the Future Land Use Plan, it did so with a
819 savings clause, and it relied on that in court to avoid having to buy the land at that time.
820 Can the City lawfully reject the county's plan and keep the underlying RS5 zoning? If not,
821 can the City adopt this new zoning with another savings clause, or can it look to the county
822 for indemnification? What steps has the City taken to determine what this will cost and
823 how it will be paid for? Isn't it true this cost will have to be added to our tax bills?

824 Madam Chair, the time is up on that particular public comment.

825 Our next public comment comes from Donna Pistockcoast, email address
826 missunico69@gmail.com.

827 As residents of Singer Island, I am in favor of preserving the wetlands and the
828 Singer Island Lagoon and support the creation of the Special Preservation District to

829 coincide with the City's Comprehensive Plan. Kindly let our votes be heard and recorded
830 at the July 1st meeting.

831 Thank you, Honorable Carmen John Maffie and Donna [Inaudible] Neffe.

832

833 Our next public comment comes from Amy Cramer, email address
834 crameramy24@gmail.com.

835 I am opposed to further development in regards to this matter. Natural
836 preservation, please.

837 Amy, Riviera Beach homeowner.

838 Our next public comment comes from Richard Barbara, email address
839 rich@barretogroup.com.

840 To Whom It May Concern, I am counsel to Government Lot 1, LLC, a Riviera Beach
841 landowner. We are in receipt, for the first time, of the allegedly revised notice of zoning
842 category and Zoning Map amendment, wherein the City proposes to adopt a new Special
843 Preservation Ordinance affecting real property owned by my client and several neighbors.
844 These comments are intended to place the City of Riviera Beach on expressed notice
845 that the proposed Special Preservation Ordinance, if passed, will result in an unlawful
846 taking of the subject property under the federal and Florida Constitutions. Such a taking
847 will leave my client with no alternative but to pursue any and all legal remedies available
848 to it. The power to avoid protracted and constant litigation rests with the City.

849 Richard L. Barbara, Esq., general counsel.

850 The next public comment comes from Farrah Tonnos, email address
851 farrahtonnos@gmail.com.

852 To Whom It May Concern, as a resident of Singer Island, I am vehemently opposed
853 any sort.., I vehemently oppose any sort of development on the lagoon. I strongly support
854 the implementation of a Special Preservation District to protect the precious lagoon and
855 surrounding area. Any such development would have a detrimental impact on the
856 ecosystem, severely disrupting and destroying the fragile environment.

857 For the sake of this earth, this Heavenly piece of paradise, we are fortunate enough
858 to call home and the greater good of the Riviera Beach community, I strongly urge you to
859 enforce the Special Preservation District. It is absolutely crucial that this is effectuated.
860 Thank you for your consideration and cooperation

861 Sincerely, Farrah Tonnos.

862 Ms. Hall Will continue with the public comment.

863 **Ms. D. Hall:** [Inaudible].

864 **City Clerk Anthony:** You wanna come here? You can come here.

865 **Ms. D. Hall:** Madam Chair, continuing with the public comment.

866 This public comment comes from Matt Lynch. The email address is
867 computerservice@att.net.

868 Please approve the zoning to special preservation status to match the City's
869 Comprehensive Plan. Additionally, the City hired Attorney Andy Bauman who, in a
870 workshop meeting, addressed the City Council and explained, the Comprehensive Plan
871 is of the highest level and it doesn't matter if the zoning doesn't match, it's just a
872 technicality that should be done. He also stated if anything happens in this submerged
873 land area that is contrary to the Comprehensive Plan, residents can sue and be
874 reimbursed for their legal fees. So Council Members shouldn't worry about one or two
875 submerged landowners, possibly for their legal fees, rather, the Council Members should
876 be very aware that if anything happens contrary to the Comprehensive Plan, the
877 thousands of residents on Singer Island are all well organized and have the right to sue
878 and have been promised legal help, if needed, from various...

879 [Timer]

880 **Ms. D. Hall:** ...turtle, manatee, fishing and environmental groups.

881 **City Clerk Anthony:** Time.

882 **Ms. D. Hall:** The next comment comes from Kim Muncie, kmuncie3@gmail.com.

883 Hello. My name is Kim. I live at 3400 North Ocean Drive in Riviera Beach. I
884 support the creation of the Special Preservation District to coincide with the City's
885 Comprehensive Plans.

886 Thank you, Kim Muncie.

887 Next, is Cynthia, cynthiaajfranklin@gmail.com.

888 Dear City of Riviera Beach City Council Members and City Manager, I ask that you
889 please read this message into the meeting Minutes for my public comment on for
890 Ordinance 41-47. And my sincere hope, is that you vote to support the creation of the
891 Special Preservation District to coincide with the City's Comprehensive Plan and help us
892 all work to safeguard and protect our area's vital aquatic assets.

893 With thanks for your service in our community, Cynthia E. Johnson, 1171 Surf
894 Road, Riviera Beach, Florida 33404.

895 The next comment is Monica Stein, mstein@comcast.net.

896 Dear City of Rivera Beach City Council Members and City Manager, please read
897 this message into the meeting Minutes for my public comment for Ordinance 41-47,
898 regarding the creation of the Special Preservation District. It is my sincere hope that you
899 will vote to support the creation of this Special Preservation District to coincide with the
900 City's Comprehensive Plan. We all need to work together to safeguard and protect our
901 area's unique and vital aquatic assets.

902 Thank you very much for your service in our community.

903 Sincerely, Monica Stein, 2800 North Ocean Drive, A22C, Riviera Beach, Florida,
904 33404.

905 Next is Fran Stein, fkstein@comcast.net.

906 Dear City of Riviera Beach City Council Members and City Manager, it is my
907 sincere hope that you will vote to support the creation of the Special Preservation District
908 to coincide with the City's Comprehensive Plan. We all need to work together to
909 safeguard and protect our area's unique and vital aquatic assets. Thank you so much for
910 your service in our community.

911 Fran Stein, 2800 North Ocean Drive, A22C, Riviera Beach, Florida 33404.

912 Next comment is from Alice Naegele, email address acn727@yahoo.com.

913 Dear Riviera Beach City Council Members and Riviera Beach Manager, I am
914 asking that you all cast your vote in favor of the creation of the Special Preservation
915 District to coincide with the City's Comprehensive Plan to safeguard and protect our
916 area's vital aquatic assets north of Pine Point Road, along the west side of [stammer]
917 North Ocean Drive, from any and all future development and construct projects.

918 I am a longtime resident at 855 Hawthorne Drive, Lake Park, and I've seen so
919 much change on the Island over the years. This little pocket of nature that is left on this
920 part of the Island is a real gem and to pave it over with development will be ba'...

921 [Timer]

922 **Ms. D. Hall:** ...will basically remove the last touch of charm that sets the area apart.

923 Thank you. Sincerely, Alice Naegele.

924 The next comment is from T.M., email address is mrtiminaz@yahoo.com.

925 Please understand my vote counts. I support the creation of the Special
926 Preservation District to coincide with the City's Comprehensive Plan.

927 Best, Tim McGill, 2640 Lake Shore Drive, 214, Riviera Beach, Florida 33404.

928 The next email is from bsmith28033@aol.com.

929 I'm writing to support the initiative to stop any and all future development and
930 construction projects in the lagoon. This is a beautiful area that needs to be preserved
931 and kept pristine in its natural state for perpetuity. We've been residents of Singer Island
932 for over twenty years and one of the reasons we stay is for the beauty of the lagoon.

933 Ben and Marian Smith, 4200 North Ocean Drive, 1705-2, Riviera Beach, Florida.

934 Next public comment is from fern6850@aol.com.

935 City of Riviera Beach Council and City Manager, my sincere hope is that you will
936 vote to support the creation of, of the Special Preservation District to coincide with the
937 City's Comprehensive Plan and help us all work to safeguard and protect our area's Lake
938 Worth Lagoon vital aquatic assets. Please help keep our lagoon in its natural state for
939 future generations to enjoy.

940 Thank you. F.M. Russo, Sugar Sands, Singer Island.

941 The next comment is from Jack A. Fairbrother, email address veairfail..., I'm sorry,
942 veairfair@aol.com.

943 I ask that you please read this message into the meeting Minutes for my public
944 comments on Ordinance 41-47, and my sincere hope is that you will vote to support the
945 creation of the Special Preservation District to coincide with the City's Comprehensive
946 Plan, and help us all work to safeguard and protect our area's vital aquatic assets.

947 With thanks for your service in our community, Jack A. Fairbrother, 1031 Fairview
948 Lane, Riviera Beach, Singer Island, Florida 33404.

949 The next email address has the same email address, veairfair@aol.com.

950 I ask that you please read this message into the meeting for my public comments
951 on Ordinance 41-47, and my sincere hope is that you will vote to support the creation of
952 the Special Preservation District to coincide with the City's Comprehensive Plan and help
953 us all work to safeguard and protect our area's vital aquatic assets.

954 With thanks for your service in our community, Gail Brenner, 1031 Fairview Lane,
955 Riviera Beach, Singer Island, Florida 33404.

956 The next public comment comes from Yvonne Cruz, and that's
957 yvonnetilates@gmail.com.

958 I reside fulltime at 4600 North Ocean Drive. I support any measures you may
959 approve to [stammer] protect and preserve Munyon Cove, the north end of Lake Worth
960 Lagoon, north of Pine Point Road and west... I'm sorry [pause], and west of Ocean
961 Boulevard, and east of Big and Little Munyon Island and protect it from development.

962 From Yvonne T. Cruz, pilates professional, 4600 North Ocean Drive, Apartment
963 1902, Singer Island, Florida 33404.

964 The next comment comes from Mattias Erikson, email address
965 e.mattias.erikson@gmail.com.

966 Please approve the zoning of the submerged land to match the City's
967 Comprehensive Plan, which is designated Special Preservation.

968 Best regards, Mattias Erikson, 1151 Pine Point Road, Riviera Beach, Florida
969 33404.

970 The next comment is from Mellie Lewis, mellielewis@hotmail.com.

971 Please preserve one of Riviera Beach's most fragile assets by voting for the
972 Special Preservation District. The vote by the City of Riviera Beach Planning & Zoning
973 Board was unanimous, 7-0, in favor of the motion for a Special Preservation District. I
974 urge you to approve the zoning to special preservation status to match the City's
975 Comprehensive Plan. I would like this message read into the public record.

976 Sincerely, Mellie Lewis, 1241 Pine Point Road, Singer Island, Florida 33404.

977 Next comment is from Maria Molano, M.D., email address
978 gigimolano@bellsouth.net.

979 Good afternoon. Please approve the zone'.., the zoning to special preservation
980 status to match the City's Comprehensive Plan.

981 Thanks. Maria Molano, M.D., 1081 Pine Point Road, Riviera Beach, Florida
982 33404.

983 Next is Teofilo Lama, email address traumalama@gmail.com.

984 Good afternoon. Please approve the zoning to special preservation status to
985 match the City's Comprehensive Plan.

986 Teofilo Lama, M.D., 1081 Pine Point Road, Riviera Beach, Florida 33404.

987 The next comment is from Gabriel Lama, email address
988 Gabriel.lama18@gmail.com.

989 Good evening. Please approve the zoning to special preservation status to match
990 the City's Comprehensive Plan.

991 Thanks. Gabriel Lama, 1081 Pine Point Road, Riviera Beach, Florida 33404.

992 The next comment comes from Gisela Riba Dispigno, email address
993 gisele.dispigno@gmail.com.

994 As a fulltime resident of Riviera Beach at 4600 North Ocean, I'm writing to support
995 the proposed Special Preservation Zoning Ordinance. The creation of the Special

996 Preservation District as part of the City's Comprehensive Plan is key to protect and
997 preserve the delicate ecosystem of Munyon Cove.

998 From Gisela Riba Dispigno, and a phone number was listed as 847-922-6666.

999 The next comment comes Guy Dispigno, email address
1000 drguy@alum.northwestern.edu.

1001 I support creation of a Special Preservation Zone. I reside at 4600 North Ocean
1002 Drive, Riviera Beach.

1003 Guy J. Dispigno, Ph.D., licensed clinical psychologist.

1004 The next comment is from Lori Wasserstein, email address livi3113@icloud.com.

1005 Please create a moratorium on any and all development of the lagoon and make
1006 it a forever wild area. The lagoon is a special part of Singer Island that should be
1007 preserved for the beauty, conservation to the sea life and plants. Lack of parking is also
1008 a problem with development.

1009 Thank you.

1010 The next comment comes from John Miller, email address
1011 johnboyslick@gmail.com.

1012 John Miller, 1290 Manor Drive.

1013 Council, City Manager and Mayor, please approve Ordinance 41-47 and the
1014 rezoning of the underwater property at the Lake Worth Lagoon. Our City's Compre'..,
1015 Comprehensive Plan needs to be upheld. Ninety-nine percent of all of your constituents
1016 living in District 4, are in favor of keeping our lagoon pristine. Please listen to the citizens
1017 living on the Island and approve this Ordinance.

1018 The next public comment comes from Beth Brady, beth@sirenianinternational.org.

1019 Please approve the zoning to special preservation status to match the City's
1020 Comprehensive Plan. This area is home and vital feeding ground for multiple species,
1021 including mana'.., manatees, endangered green sea turtles and many others.

1022 Beth Brady, President, Sirenian International, 1327 Northeast 27th Way, Pompano
1023 Beach, Florida.

1024 The next comment comes from Mary Lou Mason, email address
1025 mason21@gmail.com.

1026 Please approve the zoning to special preservation status to match the City's
1027 Comprehensive Plan. This area is a home and feeding ground for manatees, endangered
1028 green sea turtles and many other species. Thank you for your consideration.

1029 Mary Lou Mason, 1020 Powell Drive, Riviera Beach, Florida 33404.

1030 The next comment is from Hillary Ward, email address hward17@yahoo.com.

1031 Dear City of Riviera Beach City Council Members and City Manager, please read
1032 this message into the meeting Minutes for our public comment regarding our support for
1033 establishing Ordinance 41-47. We ask you to support the creation of a special
1034 preservation area on the Riviera Beach City Zoning Map, which will mirror the Special
1035 Preservation Future Land Use area per the City's Future Land Use Map. We wish to
1036 preserve the natural beauty of the Lake Worth Lagoon by establishing Ordinance 41-47.

1037 Sincerely yours, Dr. Paul and Hillary Ward, 4200 North Ocean Drive, Riviera
1038 Beach, Florida 33404.

1039 The next public comment comes from craig@komins.com.

1040 I wanted to express my strong desire for the creation of the Special Preservation
1041 District to help save the lagoon. Keep up the good work.

1042 Craig Komins, 1261 Morse Boulevard, Riviera Beach, Florida 33404.

1043 The next comment is from Lori McKee, lorimckeeepa@bellsouth.net. That's the
1044 email address.

1045 Please approve the zoning to special preservation status to match the City's
1046 Comprehensive Plan. This is a very..., this is very important to protect the environment
1047 for all of Riviera Beach residents.

1048 Lori McKee, 1101 Pinecrest Point, Singer Island, Florida.

1049 The next comment comes from Rita Hill.

1050 It says Dear Council, I would like to voice my support for the Special Preservation
1051 District coincide with the City's Comprehensive Plan.

1052 And that's from Rita Hill, 5520 North Ocean Drive. The email address is
1053 manor1805@aol.com.

1054 The next email comes from Kyle Hauser. And, the email address is
1055 kylehauser56@gmail.com.

1056 I am in favor of the City Council creating a Special Preservation District to keep the
1057 Lake Worth Lagoon, from Pine Point Drive to the south, MacArthur Park to the north, and
1058 Ocean Drive to the east, in order to keep this area in its natural state of perpetuity.

1059 Respectfully, Kyle Hauser, Singer Island resident.

1060 Next email address comes from Loretta Andrus. And the email address is
1061 oceanyorki7@gmail.com.

1062 I am in favor of the City Council creating a Special Preservation District to keep
1063 the Lake Worth Lagoon from Pine Point Drive to south, MacArthur Park to the north, and
1064 Ocean Drive to the east, in order to keep this area in its natural state for perpetuity.

1065 Loretta Andrus, 5070 North Ocean Drive, Riviera Beach, Florida 33404.

1066 The next comment comes from Mike Green, email address
1067 mikegreen@tmgtsvcs.com.

1068 Please approve the zoning to special preservation status to match the City's
1069 Comprehensive Plan.

1070 James Green, 1251 Pine Point Road, Riviera Beach, Florida 33404.

1071 The next email address comes from Bill Doniger. The email address is
1072 wrdoniger@gmail.com.

1073 The Regis Condo with ninety-four members strongly support a yes vote for
1074 preservation of our precious lagoon.

1075 Bill Doniger, President.

1076 The next email is Cindy Green, ckgreen16@gmail.com.

1077 Please approve the zoning to special preservation status to match the City's
1078 Comprehensive Plan.

1079 Cindy Green, 1251 Pine Point Road, Riviera Beach, Florida 33404.

1080 The next comment comes from Yulia Pushkar. The email address is
1081 ypushkar@purdue.edu.

1082 Honor to the City Council Members, please approve the zoning to special
1083 preservation status to match the City's Comprehensive Plan.

1084 Best regards, Yulia Pushkar, 1151 Pine Point Road, Riviera Beach, Florida 33404.

1085 The next comment comes from email address fotekp@prestigeperio.com.

1086 Please approve the zoning to special preservation status to match the City's
1087 Comprehensive Plan.

1088 Paul Fotek, 1181 Pine Point Road, Riviera Beach, Florida 33404.

1089 Next comment is from Erica Wasserstein. And that's ewasserstein@gmail.com.

1090 To Whom It May Concern, I'm writing to state that I support the creation of the
1091 Special Preservation District to coincide with the City's Comprehensive Plan. This is in

1092 reference to the lagoon north of Pine Point Road, along the westside of North Ocean
1093 Drive.

1094 Erica Wasserstein, 4200 North Ocean Drive, 2-106, Singer Island, Florida 33404.

1095 The next email comes from Charles Lewis. The email address is
1096 chucklewis39@hotmail.com.

1097 The vote by the City of Riviera Beach Planning & Zoning Board was unanimous,
1098 7-0, in favor of the motion for a Special Preservation District. I urge you to approve the
1099 zoning for the new Special Preservation Zoning District to match the City's
1100 Comprehensive Plan. Many people see nature as an expanse of greenery and view of
1101 trees or a view of water. The view of water is usually the surface that is less than one
1102 percent of a lake, river, ocean, or an inlet. Nature is much more than this. You have to
1103 go below the surface of water to see nature. However, even in the surface of., in the
1104 surface of water can bring a sense of wellbeing to urban dwellers. Notable architects,
1105 such as Le Corbusier or Frank Lloyd Wright were visionaries who argued that urban
1106 dwellers needed nature for inspiration. City and urban dwellers can live in conflict towers
1107 but then nature around these towers. This concept was lost on the eastside of North
1108 Ocean Drive where condominiums were placed elbow to elbow with little space in
1109 between.

1110 **City Clerk Anthony:** [Inaudible].

1111 DH: The next public comment comes from Lynn Tabernacki, email address
1112 ltabernacki124@gmail.com.

1113 Dear City Council Members, thank you very much for considering the Special
1114 Preservation Zoning Ordinances with your vote on June 17th. I respectfully request that
1115 the following be entered into public comments. I support the creation of the Special
1116 Preservation District to coincide with the City's Comprehensive Plan for Singer Island.

1117 Respectfully, Lynn Tabernacki, 5150 North Ocean Drive, Apartment 1201, Riviera
1118 Beach, Florida 33404.

1119 The next comment comes from..., this is a duplicate here, so I'll move on to the next
1120 one. The next one comes from Susan Troubetzkoy. And the email souka@aol.com.

1121 Dear Council Members, please approve the zoning to special preservation status
1122 to match the City's Comprehensive Plan.

1123 Thank you. Susan Troubetzkoy, 1061 Pine Point Road, Riviera Beach, Florida
1124 33404.

1125 Next public comment comes from Nicole Prokopetz. The email address is
1126 nprokopetz@comcast.net.

1127 Please approve the zoning to special preservation status to match the City's
1128 Comprehensive Plan

1129 Lexa Prokopetz, 1231 Pine Point Road, Riviera Beach, Florida 33404.

1130 And, the next comment is from Tom Twyford. And the email address is
1131 ttwyford@westpalmbeachfishingclub.org.

1132 To Whom It May Concern, the West Palm Beach Fishing Club encourages the
1133 Riviera Beach City Council to approve the proposed zoning change, Ordinance 41-47 to
1134 Special Preservation District status to match the City of Riviera Beach Comprehensive
1135 Plan for the submerged lands located in the area often referred to Munyon Cove, north of
1136 Pine Point Road and west of North Ocean Drive in Riviera Beach. The West Palm Beach
1137 Fishing Club has long supported efforts to protect the critical estuarine habitat that exists
1138 there. Thank you for the Council's consideration.

1139 And it's Thomas Twyford, President, West Palm Beach Fishing Club, 1201 5th
1140 Street, West Palm Beach, Florida 33404.

1141 The next comment comes from Brian Wasserstein, and it's
1142 brian.wassterstein@gmail.com.

1143 Good afternoon. I'm writing to express my support for the creation of the Special
1144 Preservation District of Pine Point Road along the westside of North Ocean Drive during
1145 the upcoming City's Comprehensive Plan development. Although I work in the
1146 construction industry and generally support policies that foster job creation, I think it's
1147 critical to preserve remaining natural habitats on Singer Island.

1148 Sincerely, Brian Wasserstein, 4200 North Ocean Drive, 1705-2, Singer Island,
1149 Florida 33404.

1150 The next comment comes from Paul Katcher, email address is
1151 paulkatche@aol.com

1152 Keep the lagoon beautiful and pristine.

1153 Paul Katcher, 5070 North Ocean Drive.

1154 The next comment comes from Connor McKee, email address is
1155 flatfisher9393@gmail.com.

1156 Please approve the zoning to special preservation status to match the City's
1157 Comprehensive Plan. Please, this area of homes and feeding ground for manatees,
1158 endangered green sea turtles, and so many other, other species. I grew up being able to
1159 fish and enjoying the area and it needs to be preserved so hundreds, if not thousands, of
1160 other people can do the same over future generations.

1161 Connor McKee, 1101 Pine Point Road, Singer Island, Florida 33404.

1162 The next public comment comes from Peggy Lindenborn, email address
1163 pepsue581@aol.com.

1164 Dear City of Riviera Beach, my husband and I are owners on Singer Island and
1165 Florida residents. We reside at 2800 North Ocean Drive, B-16C, Riviera Beach.

1166 We support the creation of the Special Preservation District to coincide with the
1167 City's [stammer] Comprehensive Plan. Please help us all to keep the lagoon in its natural
1168 state for future generations to enjoy and to protect our endangered sea wildlife. We are
1169 happy to serve on any committee and help in any manner.

1170 Thank you for all you do to make our [stammer] community so amazing.

1171 Regards, Lundy [sp] and Peggy Lindenborn, 2800 North Ocean Drive, B-16-C,
1172 Riviera Beach, Florida 33404.

1173 The next public comment comes from Karen Gleason, email address
1174 kgleason@karengleason.com.

1175 Council Members and Mr. Mayor, the Cou'.., the City's Comprehensive Plan
1176 established and identified a Special Preservations Land Use area in 1989. That Plan
1177 clearly states that no residential or commercial development is allowed on the land, and
1178 submerged lands bordered by Pine Point Road and North Ocean Drive. When a current
1179 submerged landowner paid a mere \$24,000 for his lot in February 2014, it was because
1180 he knew the land could not be used for commercial or residential development. AS a
1181 smart investor, he had done his research and recognized the limitations of the land. Now
1182 he comes before you crying that this limitation is unfair and points to a potential loss of
1183 tax revenue and the potential loss of opportunity for him to develop the very land that he
1184 knew had thirty years of statutory restrictions when he bought it.

1185 The Comprehensive Plan takes precedence over all other land uses by Florida
1186 statue. The Ordinance before you tonight, is to comply with a Florida statute requiring
1187 the City to align the Zoning Code.

1188 The next public comment comes from Kenneth Krogofski, email address
1189 ken@verkshiream.com.

1190 My wife and I have lived at the Marriott Resort at Singer Island. We support the
1191 creation of the Special Preservation District to coincide with the City's Comprehensive
1192 Plan.

1193 Regards, Ken Krogofski.

1194 The next public comment comes from Deborah Kane, email address
1195 debkanepa@gmail.com.

1196 I am a resident of Singer Island and am writing to get your support for the change
1197 and zoning for the Lake Worth Lagoon, west of North Ocean on Singer Island, to a Special

1198 Preservation District. The owners of the underwater parcels in the lagoon have shown
1199 no respect for you, the environment or the neighbors. They have disregarded every action
1200 the City of Riviera Beach has taken to proceed in a just and legal way. They have trash
1201 in the property, they've cut down seagrass and mangroves, they placed [stammer] floating
1202 docks that have damaged the shoreline, they've built walls and fences, they added fill, all
1203 while being told by Riviera Beach that there were no permits allowing them to do any of
1204 this. They park illegally on the sidewalk and in the bike lane creating a safety hazard for
1205 walkers and bikers. They continue to move forward while there has been a moratorium
1206 in place. Lozman and Taylor have totally disrespected the Riviera Beach City Council,
1207 the DE'., DEP, and all of the taxpayers on the land. They believe they can do whatever
1208 they wish, whenever they wish. This needs to be stopped now while...

1209 [Inaudible comment]

1210 DH: The next public comment comes from Maria Molano, M.D. I believe this one is a
1211 duplicate. We read this one already.

1212 The next public comment comes from James Gleason. And the email address is
1213 jgleason@karengleason.com.

1214 Council Members and Mr. Mayor. The City Council is being asked to bring zoning
1215 and Future Land Use Regulations into compliance with the City's Comprehensive Plan
1216 and Special Preservation Future Land Use adopted in 1989. The Plan, which establishes
1217 a framework for all land development in the City, including submerged lands, bordered by
1218 Pine Point Road and North Ocean Drive, prohibits all residential and commercial
1219 development in that area.

1220 As you consider Ordinance 41-47, bear in mind that any citizen of Riviera Beach
1221 may exercise this right to enforce the Comprehensive Plan, if that provisions are being
1222 violated. You can do this by bringing an action seeking declaratory and injunctive relief
1223 against any development order inconsistent with the Plan.

1224 Moreover, if he prevails in his suit, his legal costs will be borne by the City, so by
1225 bringing current zoning into alignment with the Comprehensive Plan, the Council was
1226 fulfilling what has been mandated by Florida statute.

1227 Please vote to pass Ordinance 41-47. Thanks for your consideration.

1228 Jim Gleason, 1211 Pine Point Road, Singer Island, Florida , Riviera Beach 33404.

1229 The next public comment comes from Jim Kane, email address
1230 jafrkane@gmail.com.

1231 City Council Members, please vote to enact the Special Preservation Land Use
1232 designation for the land north of Pine Point Road and west of North Ocean Drive.

1233 Your affirmative vote is fully consistent with Florida and federal laws.

1234 Sincerely, Jim Kane, 5150 North Ocean Drive, No. 2003, Riviera Beach, Florida
1235 33404.

1236 The next pub'..., public comment comes from Matthew Kwiatkowski, email address
1237 matkwiat@gmail.com.

1238 Please pass the Special Preservation District to match the Comprehensive Plan.
1239 My wife and I have been residents of Riviera Beach for just over five years and, during
1240 this time, we have come to realize that this City is unmatched with all of its diversity and
1241 abundance of beauty, you as the Council, have a duty not only to Singer Island residents,
1242 but to all those who reside in our City to protect its unique and irreplaceable environment.
1243 I know that City Council Members come and go and that it's not a lifetime appointment,
1244 but your predecessors had the insight and fortitude to put in place this wonderful
1245 Comprehensive Plan that incr'..., included creating the Special Preservation area.

1246 Personally, our decision to buy this property was heavily influenced by the
1247 protection provided by the Comprehensive Plan and I know from firsthand accounts that
1248 many of the residents expected this pristine area will be protected. This almost goes
1249 without saying, let alone debating within Council Chambers. I encourage you to stand
1250 your ground on the strong legal basis created by your predecessors.

1251 The next public comment comes from Matt Lynch, email address
1252 computerservice@att.net. Okay. This one is a duplicate. Sorry bout that.

1253 The next public comment com'..., comment comes from Lisa Interlandi. The email
1254 address is lisa@evergladeslaw.org.

1255 I write on behalf of the Lake Worth Waterkeeper and the Everglades Law Center
1256 to support the adoption of Ordinance 41-47 to amend the Zoning Code and zoning
1257 designation to be consistent with the City's Comprehensive Plan.

1258 Lisa Interlandi, Everglades Law Center., evergladeslaw.org.

1259 The next public comment comes from Norma Leal, email address
1260 nlleal1@icloud.com.

1261 My name is Norma Leal. I live at 4200 North Ocean Drive, Singer Island. I vote
1262 yes to prevent development of the lagoon. This is an important ecosystem issues.

1263 Thanks for your prompt attention. Norma Leal.

1264 Next public comment comes from Justin'..., Justine ____, email address is
1265 tinkjustine@aol.com.

1266 Vote yes to prevent development in our lagoon.

1267 Justine Greenwald, Singer Island.

1268 The next public comment comes from Glenn Spiritis. The email address is
1269 dokspirit12@icloud.com.

1270 Honorable Members of the City Council and Mayor, I am pleading behalf of the two
1271 hundred and fifty-six taxpayers of the Water Glades Condominium in Riviera Beach. We
1272 support the zoning of the land and submerged land adjacent to Pine Point Road, running
1273 north to MacArthur Park and adjacent to North Ocean Drive to the east, as a preservation
1274 zone. It is important that we protect this most important environmental treasure.

1275 Thank you. Glenn L Spiritis, Ph.D., President of the Water Glades Condominium.

1276 The next public comment comes from Jorge Leal, email address
1277 jhleal@icloud.com.

1278 I am a resident of Singer Island. We must preserve the ecosystem at the lagoon.
1279 I have already witnessed the cutting of mangrove trees. I vote yes to prevent the
1280 development in the lagoon.

1281 Jorge Leal, 4200 North Ocean Drive.

1282 The next public comment comes from Bill Muchow, email address
1283 bmuchow@inspirapa.com.

1284 I support the prevention of future land development in our lagoon, along with the
1285 same lines.

1286 My question revolves around rules and regulations. A growing number of residents
1287 are questioning why Peanut Island and its accompanying sandbar is still closed. It has
1288 been viewed as favoritism and I would like the Committee to answer as to how it is not.
1289 The four weekends, Phil Foster Park, literally two hundred away, was so packed that they
1290 have to turn people away. People in Sailfish Marina, seventy-five feet away, are enjoying
1291 food and relaxing at the tiki bar, yet the area in question remains patrolled heavily by our
1292 tax dollars and for what reason exactly?

1293 Thanks in advance from all of us for your Committee's explanation.

1294 The next public comment comes from email address irenah@hotmail.com.

1295 Please vote yest to no more development in our lagoon. Keep it natural.

1296 Thank you. Ilene GloInik [sp].

1297 The next public comment comes from email address f.kirk@me.com.

1298 We vote no on development of the lagoon. It is the most natural, unobstructed
1299 view we have off Ocean [audio skipped] cannot be developed.

1300 Francine Kirk, Roger Kirk, 1140 Bimini Lane.

1301 The next public comment comes from Mary Lawrence, email address
1302 mlawanvc@aol.com.

1303 Please vote yes to prevent developing the, the lagoon.

1304 Mary Lawrence, 1101 Powell Drive.

1305 The next public comment is Michael Melby, memelby17@gmail.com.

1306 Ladies and gentleman, my name is Michael Melby and I own a home in Palm'..,
1307 Palm Beach Isles, as does my brother, Larry. The primary reason we chose to live here
1308 is the beauty and natural surroundings that Singer Island provides for our family. I would
1309 ask that you seriously consider doing everything possible to maintain the Island's charm
1310 by voting yes to prevent develop' to our lagoon. We must prevent unnecessary
1311 destruction to the ecosystem of Singer Island as it truly makes it a very special place to
1312 live.

1313 Thank you for your time and consideration.

1314 The next public comment comes from email address down6065@bellsouth.net.

1315 I vote yest to prevent any type of development and destruction in and of the
1316 beautiful, natural preserve and wildlife habitat of Singer Island Lagoon. Our lagoon is a
1317 nesting place for horseshoe crabs, a mating area for manatees. I have seen them in the
1318 shallows [audio skipped] and a sanctuary for many species of birds and home to too many
1319 species of other wildlife to count, as well as a very large, protected mangrove area that is
1320 not supposed to be touched unless by a licensed professional and preservationists.

1321 From Star Downey, 1240 Bimini Lane, Singer Island, Florida 33404.

1322 The next public comment comes from Michael Slozer, email address
1323 michaelsslozer@gmail.com.

1324 Mayor Felder, Chair Botel, Council Members, City Manager Evans, from the day I
1325 bought my condo seventeen years ago until today, I never stop thinking about how
1326 beautiful Singer Island is and how lucky we are to be here, no matter where we live. Only
1327 in the past year or so has it become clear that there are those who have a different
1328 agenda. Therefore, I support, and ask you to do as well, the creation of a Special
1329 Preservation District on Singer Island. It seems the only way we, as a City, can be sure
1330 the land north of Pine Point Road and west of North Ocean Drive was protected under
1331 the City's Comprehensive Plan and Future Use Land Map.

1332 As a citizen of Riviera Beach and a member of various different organizations, I
1333 ask you to look favorable on this and vote for Ordinance No. 41-47. This may not be the
1334 most important issue we face as a community, but it is about our future and what we can
1335 do to protect it.

1336 Thank you for your time. Michael Slozer, 4100 North Ocean Drive, Riviera Beach,
1337 Florida.

1338 The..., this is a duplicate.

1339 The next public comment comes from Mary Lawrence.

1340 Please Council Members, I hope this note finds you well. Please vote yes to
1341 prevent development on the lagoon on Singer Island.

1342 Mary Lawrence, 1101 Powell Drive. Email address, mlaw____@aolc.om.

1343 Next public comment comes from Ilene Dejong, email address
1344 ilenedejong@yahoo.com.

1345 Vote yes to prevent development on our lagoon.

1346 From Ilene Dejong.

1347 Next public comment is from Joan Willis, email address stevejoani@aol.com.

1348 Please do not allow them to ruin Singer Island any more than they already have.
1349 We do not want development in our waters.

1350 Joan Willis, 4100 North Ocean Drive, Riviera Beach.

1351 The next public comment comes from Beverly Cheeks Jewell, email address
1352 bacheeksjewell@icloud.com.

1353 To Whom It May Concern, as a resident of Palm Beach Isles for the past nineteen
1354 years, our household, Curtis and Beverly Jewell, are extremely concerned about the
1355 natural habitat of the lagoon on Singer Island. We are voting yes to prevent any all
1356 development of lagoons on Singer Island.

1357 Thank you for your consideration.

1358 The next public comment comes from Mark Moore, mmoore@kavaliro.com.

1359 Thank you for bringing this bi'..., bringing this up bill. I fully support both statements
1360 you have made here. I would like to understand the logic behind closing these areas and
1361 why our rights are being subjected to opinions of a few.

1362 This is from Mark Moore, President and [inaudible] Southeast & Caribbean
1363 Regional Chair.

1364 The next public comment comes from downeyp@comcast.net. That's D-O-W-N-
1365 E-Y-P@comcast.net.

1366 Please vote yes to prevent development in our lagoon.

1367 And that is from Patricia Downey.

1368 Next public comment comes from Patricia Papa, email address
1369 patriciaannpapa@gmail.com.

1370 Vote yes to prevent development in our lagoon.

1371 Patricia Papa, 1160 Dolphin Road.

1372 Next comment comes from email address freddietz11@comcast.net.

1373 Please approve the zoning the special preservation status to match the City's
1374 Comprehensive Plan.

1375 And that comes from Freddie T.Z, at 1170 Morse Boulevard, Riviera Beach,
1376 Florida.

1377 The next public comment comes from the same email address and it reads please
1378 approve the zoning to special preservation status to match the City's Comprehensive
1379 Plan.

1380 And that is from Maureen Lynch, 1170 Morse Boulevard, Riviera Beach, Florida.

1381 Next comment comes from Judy Dynia, email address jdy.dynia@yahoo.com.

1382 I am in favor of the City Council creating a Special Preservation District to keep the
1383 Lake Worth Lagoon in its natural state for perpetuity, from the.., from Pine Point Drive to
1384 the south, MacArthur Park to the north, and Ocean Drive to the east.

1385 Respectfully, Judith Dynia, 5080 North Ocean Drive, No. 14C, Riviera Beach,
1386 Florida 33404.

1387 The next comment comes from Larry Miller, lmiller@assetsmgtplanning.com.

1388 I am in favor of voting yes on Item 11 of tonight's Agenda, designating the land
1389 north of Pine Point Road and west of North Ocean Drive as a protected zone for future
1390 land development.

1391 Larry Miller, East Point One Condo, Riviera Beach.

1392 Next public comment is from Lynda Williams, email address
1393 lyndawilliams341@hotmail.com.

1394 Please vote yes as to no more building on Singer Island on or near the lagoon. It
1395 has to stop.

1396 Lynda Williams, 4100 North Ocean Drive, Riviera Beach, Florida.

1397 Next comment comes from email address robin32844@aol.com.

1398 Please vote yes to, to preserving the lagoon on Singer Island and all environments
1399 on Island.

1400 Thank you. Anne Craig, 1091 Pine Point Road.

1401 The next comment comes from Hotmail Team, email address
1402 debbymeldahl@hotmail.com.

1403 I'm voting yes to prevent development of the lagoon.

1404 Thank you. Deb Meldahl.

1405 The next comment is from Cathy Newman, email address
1406 cmanewman@bellsouth.net.

1407 I vote yes to prevent development of lagoon on Singer Island.

1408 Cathy Newman, 3640 North Ocean Drive, Villa Towers.

1409 Next comment...

1410 [Background recorded message]

1411 **Ms. D. Hall:** Okay.

1412 **Chairperson Botel:** Do we have any idea what that was about?

1413 **Ms. D. Hall:** Okay. Should I continue?

1414 **Chairperson Botel:** Please. Yes.

1415 **Ms. D. Hall:** Okay.

1416 **Chairperson Botel:** [Stammer]. We started at 5:42. We've been for about an hour
1417 and a half. Do we have a sense of how many we've been through?

1418 **Ms. D. Hall:** I am on number one sixty-two and it goes to one eighty. How many more
1419 do we have [inaudible]?

1420 **Chairperson Botel:** Okay.

1421 **City Clerk Anthony:** [Inaudible].

1422 **Ms. D. Hall:** Okay. Yeah. We end at one eighty.

1423 **Chairperson Botel:** Okay.

1424 **Ms. D. Hall:** I'm on one sixty-two.

1425 **Chairperson Botel:** Okay. Alright. [Stammer]... Ms. Miller-Anderson.

1426 **Councilperson Miller-Anderson:** There is someone else that has their phone
 1427 unmuted so, I don't know if that's caller number two. Maybe that was who had the noise.
 1428 I'm not sure but there's only one person talking right now so I'm not sure why that caller
 1429 has their phone unmuted.

1430 **Chairperson Botel:** [Stammer]. I'm trying to see... Oh, I see. Yeah. Could, could
 1431 any'..., could everyone except the person speaking mute their phones? Including those
 1432 of you who are just calling in and not using the computer. Thank you.

1433 **Ms. D. Hall:** Okay.

1434 **Chairperson Botel:** Madam Clerk...

1435 **Ms. D. Hall:** Continue...

1436 **Chairperson Botel:** ...please continue. Thank you.

1437 **Ms. D. Hall:** Okay. The next comment comes from email address
 1438 thompsonther@aol.com.

1439 Please stop all the development in our precious lagoon.

1440 Theresa Thompson.

1441 The next public comment comes from Susan Hoffman, email address
 1442 sjhoffman@hotmail.com.

1443 Please vote yes tonight to block building in the lagoon.

1444 Thank you. Susan Hoffman.

1445 The next comment is from email address lifsrof1@gmail.com.

1446 Good evening. I'd like to encourage you to vote yes on [audio skipped] building in
 1447 the lagoon. The wildlife in the entire environment and ecosystem has always been special
 1448 to me, then my husband, and now my son. My family has owned a property on Singer
 1449 Island since 1974 when I was five years old. The views of the lagoon are open to
 1450 everyone as it is a public bike trail that goes all along the lagoon.

1451 Again, please vote yes tonight.

1452 Thank you. Catherine Simmons.

1453 Next public comment is from Lisa Canal, email address is
 1454 toomanycats305@msn.com.

1455 To Whom It May Concern, please stop and retract any building permits allowed in
1456 our lagoons. This area was not developed to look like a concrete city. It's overbuilt as it
1457 is and we really need to preserve what's left of it. Please vote yes to protect our lagoons.
1458 It's what's left of our local ecosystem, and once it's gone, it's gone forever.

1459 Sincerely, Lisa Canal.

1460 Next email... Sorry. The next public comment comes from Susan Robinson...

1461 **Chairperson Botel:** We lost... I think we lost this audio from the Clerk.

1462 **Ms. D. Hall:** I'm still here.

1463 **Chairperson Botel:** Oh. Okay.

1464 **Ms. D. Hall:** I'm still here. Okay. The next..., this public comment comes from Susan
1465 Robinson, suvrobinsom@ts.com.

1466 I, Susan Robinson, of Singer Island, vote yes to keep our lagoon undeveloped.

1467 Next public comment comes from [stammer] James Ryan, email address
1468 jdr@ryanlawgroup.net.

1469 Apparently the City is being vi'..., advised the law requires the City to...

1470 **Chairperson Botel:** Is this a duplicate?

1471 **Ms. D. Hall:** ...rezone...

1472 **Chairperson Botel:** It's a duplicate, I think.

1473 **Ms. D. Hall:** Okay. This is a duplicate. Sorry about that.

1474 **Chairperson Botel:** Thank you.

1475 **Ms. D. Hall:** The next public comment comes from Chrissy.higgins@gmail.com. She
1476 lives at 1211 Morse Boulevard, Riviera Beach.

1477 Please pass the proposed zoning change to create a Special Preservation District
1478 to coincide with the Comprehensive Plan of the City of Riviera Beach.

1479 The next public comment comes from Lynn Rutenberg, email address
1480 speach49@meme.com.

1481 We support the creation of a Special Preservation District to save the lagoon north
1482 of Pine Point Road and along west side of North Ocean Drive, from any and all future
1483 development, and/or construction pro'..., projects.

1484 Respectfully yours, Lynn N., Lynn ____ Rutenberg, 5070 North Ocean Drive,
1485 70South, Singer Island, Florida 33404.

1486 Next Public comment comes from email address ves12404@comcast.net.

1487 [Stammer]... Please, approving the zoning of special preservation status to match
1488 the City's Comprehensive Plan.

1489 Mary Lou Desmond, 5070 North Ocean Drive, 3C, Singer Island.

1490 The next public comment is from Renee Tracey, email address floridanee... I'm
1491 sorry, it's florida____@yahoo.com.

1492 Longtime resident of Singer Island. Please vote to preserve the lagoon property
1493 and prevent anymore building in that area.

1494 Thank you. Renee Brown.

1495 The next public comment is from Karen Weatherall, email address
1496 coolnana401@gmail.com.

1497 I, Karen Weatherall, who lives at 3640 North Ocean Drive, vote yes to [inaudible]
1498 building in the lagoon.

1499 The next public comment is from Marsha McIntyre, email address
1500 mmmcIntyre2001@yahoo.com.

1501 Please vote yes to prevent development in our lagoon.

1502 Thank you. Marsha McIntyre.

1503 Next public comment is from Marianne Wiegand, email address
1504 wiegandmar2544@gmail.com.

1505 I'm in full support of voting yes for Ordinance 41-47. Please approve the zoning
1506 to special preservation status to match the City's Comprehensive Plan.

1507 Respectfully, Marianne Wiegand, 1155 Morse Boulevard, Singer Island, Florida
1508 33404.

1509 Next public comment is from J.B. Dixon, email address jbdixson@icloud.com.

1510 Please vote to approve the Ordinance on a Special Preservation Di'.., District.

1511 J.B. Dixon, 3000 North Ocean Drive.

1512 The next public comment comes from email address varshk@gtlaw.com.

1513 On behalf of my clients, I'm attaching a letter in opposition to the Special
1514 Preservation District that is scheduled for consideration by the City Council. Because the
1515 meeting is virtual, please read the letter into the record at the appropriate time of the
1516 Agenda on tonight's meeting.

1517 And it is..., it reads, I am writing on behalf of Halo Development, LLC, Fane Lozman
1518 and Renegade Trust II, the owners of real property located within the geographic of the
1519 proposed Special District Preservation..., the Special Preservation Zoning District
1520 Ordinance 41-33 and, more particularly, described in Exhibit A to this letter. Together,
1521 Halo, Fane Lozman and Renegade Trust II own approximately 51 acres of land which
1522 accounts for twenty-..., twenty percent or more of the area of the lots included in such
1523 proposed change.

1524 Halo previously placed the City of Riviera Beach on notice and does so here again
1525 that the adoption of rezoning Ordinances that will modify current RS5 zoning to special
1526 preservation will result in a regulatory taking. Members of Halo, as well as a majority of
1527 landowners whose property will be affected by the rezoning oppose the modification.

1528 [Timer]

1529 **Ms. D. Hall:** Okay. And the next public comment comes from email address rexy..., I'm
1530 sorry, rexyx@gmail.com.

1531 Dear City Council, the City Council should reject the zoning change for the Singer
1532 Island Lagoon property that the City Staff recommend for approval. Instead, the City
1533 Council should change the Comprehensive Plan from special preservation to single-
1534 family residential. The City Council needs to consider that by change the zoning for the
1535 lagoon property, the City will be put at risk of financial ruin when these property owners
1536 sue the City for taking away their development rights. I researched the matter and all the
1537 houses and condos on north side of Singer Island were built on property that was sold by
1538 the state a hundred years ago. Almost all of the property sold by the state has already
1539 been developed and the remaining portion are owned by some very wealthy individuals.
1540 These individuals, led by Mr. Lozman, will fight this out in court for years to come and can
1541 easily bankrupt the City with a huge judgment when they win.

1542 Their properties in the lagoon, [inaudible] developed, will be worth in the hundreds
1543 of millions of dollars and a court judgment for a hundred mil'..., hundreds of millions of
1544 dollars, will be horrible.

1545 And the final public comment comes from Lynn Robertson, email address
1546 lnr329@aol.com.

1547 Voting to yes to prevent development in our lagoon. Keep it natural, please.

1548 That is the end of public comments on this Item.

1549 **Chairperson Botel:** Thank you.

1550 **Chair Pro Tem Lawson:** Madam Chair?

1551 **Chairperson Botel:** Yes. Go ahead, Mr. Lawson.

1552 **Chair Pro Tem Lawson:** I was gonna make a quick comment to see if the..., my
 1553 colleagues would indulge allowing for the five, I believe it was five or six, public comments
 1554 that got cut off during the public comments, to see if we'd be allowed to finish and
 1555 complete those letters to be read into the record so that we don't have this discussion
 1556 later to say that certain comments were read and there was a bias in regards to hearing
 1557 the comments. If that's something that legal would allow for us to do, and if my colleagues
 1558 would entertain that. That would take another fifteen minutes and think it would just be
 1559 right to go ahead and put all of this to rest, if possible.

1560 **Chairperson Botel:** Ms. Wynn, do you wanna weigh in on that?

1561 **City Attorney Wynn:** Certainly. It's totally up to you. You have the right, when you
 1562 have voluminous comments to reduce the time. You've done that. If you want to make
 1563 an exception for, I think Mr. Lawson five or six comments, it's totally up to but you'd need
 1564 a motion to be able to have to do that.

1565 **Chairperson Botel:** Well, I, I personally... How many comments did we have in
 1566 total, Madam Clerk, again? Was it two hundred and ten?

1567 **City Clerk Anthony:** Madam Chair, in all honesty, we lost count. [Chuckle].

1568 **Chairperson Botel:** So, I mean, I think we..., I, I really don't think that we need to
 1569 hear very much more. You know, we, we wanna move this along. If anyone else..., you
 1570 could make a motion, Mr. Lawson, I suppose and see if you get a second.

1571 **Chair Pro Tem Lawson:** Yes...

1572 **Chairperson Botel:** Mr. Lawson, do you want...

1573 **Chair Pro Tem Lawson:** ...Madam Chair... Yes, please, Madam Chair. I'd like to
 1574 motion that we go back and allow for public comments from the..., the comments that went
 1575 outside of the one minute mark and see if we can complete those comments and read
 1576 them into the record.

1577 **Councilperson Miller-Anderson:** Um...

1578 **Councilperson McCoy:** Second.

1579 **Councilperson Miller-Anderson:** I mean, we've been here all night with it anyway,
 1580 so I'll second it.

1581 **Chair Pro Tem Lawson:** Yeah.

1582 **Chairperson Botel:** I think McCoy seconded first, so. Go ahead. Madam Clerk,
 1583 go and call the roll.

1584 **City Clerk Anthony:** Councilperson McCoy?

1585 **Councilperson McCoy:** Yes.

1586 **City Clerk Anthony:** Councilperson Miller-Anderson?

1587 **Councilperson Miller-Anderson:** Yes.

1588 **City Clerk Anthony:** Councilperson Lanier?

1589 **Councilperson Lanier:** No.

1590 **City Clerk Anthony:** Pro Tem Lawson?

1591 **Chair Pro Tem Lawson:** Yes.

1592 **Chairperson Botel:** Chair Botel?

1593 **Chairperson Botel:** No.

1594 **City Clerk Anthony:** That motion is approved with Councilperson Lanier and Botel
 1595 dissenting. Madam Chair, I would request that me and Ms. Hall be given the opportunity
 1596 to go back through the public comment to pull out those that have multiple paragraphs.
 1597 So, we, we put them all back together, so we have to go through and pull them all out.
 1598 Again.

1599 **Chair Pro Tem Lawson:** And, Madam Chair, since we're gonna read them back into
 1600 the record, if we can go ahead and go into the presentation, allow for the presenters to
 1601 speak and then come back to them, the Clerk, if that's a possibility, just to keep it moving.

1602 **Chairperson Botel:** Thanks. Ms. Wynn, I have a question. I was asked if we
 1603 could, for the next reading of this Ordinance, would it be possible for us to create a petition
 1604 and put the language of the petition out in the public and ask if there are people who
 1605 would like to support the petition, so that only their..., we could read the petition, say, 'We
 1606 the undersigned support the petition asking the Council to approve Ordinance No. 41-47,'
 1607 whatever language you think would be, would be good and then people can just email
 1608 the clerks and say, 'I would like you to add my name to the petition.' Will that..., is that a,
 1609 a think we could do to cut down on this time?

1610 **City Attorney Wynn:** Madam Chair, we would not draft the petition or push a
 1611 petition out there.

1612 **Chairperson Botel:** Okay.

1613 **City Attorney Wynn:** If someone else wanted to do that...

1614 **Chairperson Botel:** Okay.

1615 **City Attorney Wynn:** ...maybe one of the, the public commenters and circulate that
1616 amongst themselves and...

1617 **Chairperson Botel:** Okay.

1618 **City Attorney Wynn:** ...submit that, it would be a public record. We would not...

1619 **Chairperson Botel:** [Inaudible].

1620 **City Attorney Wynn:** ...even necessarily have to read all the names, we would just
1621 receive and file it into the public record.

1622 **Chairperson Botel:** Oh okay. So, would you need anything other than..., do need
1623 their names and email addresses? Or, names and addresses or just the names?

1624 **City Attorney Wynn:** Whatever they presented to..., I've seen it just with the names.
1625 I've never seen...

1626 **Chairperson Botel:** Okay.

1627 **City Attorney Wynn:** ...with email addresses as well.

1628 **Chairperson Botel:** Okay. That might help cut down on [inaudible].

1629 **City Attorney Wynn:** Yeah. Just the names is sufficient.

1630 **Chairperson Botel:** Okay. Thank you. So, I think...

1631 **Councilperson Miller-Anderson:** Madam Chair?

1632 **Chairperson Botel:** Ms. Miller-Anderson.

1633 **Councilperson Miller-Anderson:** I missed that. Why are we asking about a
1634 petition?

1635 **Chairperson Botel:** Because, in order..., for the next reading, if we had another two
1636 hundred, we could cut down on that by having people just say, to whoever organizes the
1637 petition, 'please add my name to the petition.' And that way their voice would be heard,
1638 their opinion would be heard but we wouldn't have to read the same thing over and over
1639 again. I mean, basically, we had..., if, if we had two hundred and ten comments, two
1640 hundred and six of them were in support of the Ordinance. So, rather than having two
1641 hundred and six public comments in support of an Ordinance, if someone were to create
1642 a petition that people could send to that person and that..., their names be collected, it
1643 would cut down on the time and yet still give people that opportunity to have their feelings
1644 expressed.

1645 **Councilperson Miller-Anderson:** Well, I think that's typically what is usually done,
 1646 but I believe because of the fact that people are able to email in these comments and not
 1647 have to be present, that's probably why we're seeing the number that we're seeing.

1648 **Chairperson Botel:** Right.

1649 **Councilperson Miller-Anderson:** I mean, that's up to them if they wanna do a
 1650 petition, but if they wanna send in public comment cards like they're doing now, that's fine
 1651 with me too.

1652 **Chairperson Botel:** Oh yeah. No, no. We, we, we..., obviously, we can't...

1653 **Councilperson Miller-Anderson:** Yeah, so they...

1654 **Chairperson Botel:** ...stop people...

1655 **Councilperson Miller-Anderson:** ...[inaudible].

1656 **Chairperson Botel:** ...from commenting. No, no. But there....

1657 **Councilperson Miller-Anderson:** Typically, that's waht...

1658 **Chairperson Botel:** ...wouldn't be an either or. Yeah.

1659 **Councilperson Miller-Anderson:** I've never seen two hundred and ten people
 1660 come up to the podium and, and, and speak on...

1661 **Chairperson Botel:** [Chuckle].

1662 **Councilperson Miller-Anderson:** ...[inaudible]... So, I would imagine it's because
 1663 of the platform that we're in.

1664 **Chairperson Botel:** Right, right.

1665 **Councilperson Miller-Anderson:** Alrighty. Thank you.

1666 **Chairperson Botel:** Okay. Thank you. Mr. Evans, do we have a presentation?

1667 **City Manager Evans:** Yes, Madam Chair and Members of the Council. First and
 1668 foremost, I would like to introduce our new Development Services Director, Mr. Clarence
 1669 Sirmons. So, obviously, if you haven't had the opportunity to meeting him face to face,
 1670 there he is. We're excited to have him onboard as part of the Riviera Beach family.

1671 So, I'm gonna turn the presentation over to Mr. Sirmons, and then he's gonna
 1672 introduce some other folks that will be making the presentation.

1673 **Chairperson Botel:** Thank you.

1674 **Development Services Director Sirmons:** Thank you, Mr. Evans. Good evening,
1675 Madam Chair, Council. This Item will be presented by Assistant Director Jeff Gagnon,
1676 and I will be yielding the floor to him for the presentation.

1677 **Assistant Development Services Director Gagnon:** Good evening, Honorable Mayor
1678 and Council. For the record, Jeff Gagnon, Assistant Director Development Services. Let
1679 me switch over to the shared screen mode. [Pause]. And I think we have it set up now.
1680 [Pause].

1681 Okay. So, you have before you an Ordinance on first reading. It's Ordinance No.
1682 41-47. It's provided on the presentation, just for the record. The, the title block is
1683 included. To start at the beginning, the, the City's Comprehensive Plan is really the road
1684 map for any sort of development activities within the City. Within the Comprehensive
1685 Plan, there are specific land use districts, as well as a Future Land Use Map and those
1686 set the framework for the City's zoning regulations and Zoning Map. Any sort of
1687 development activities in the City must adhere to the Comprehensive Plan and those
1688 requirements within, including those Future Land Use Districts and the Future Land Use
1689 Map itself. And, Florida statute requires that the Future Land Use Map and Zoning Map
1690 are consistent and compatible with another.

1691 What the City has realized is there's a current incompatibility between the Future
1692 Land Use Map and the Zoning Map specifically associated with the Special Preservation
1693 Future Land Use area. So currently, we have the Special Preservation Future Land Use
1694 area identified on the Future Land Use Map. However, the Zoning Map has a RS5, single-
1695 family dwelling district designation associated with the same geographical area. So, what
1696 this Ordinance would do is correct that compatibility issue and allow us to be in line with
1697 the Florida statute requirements.

1698 So there's three main bullet points that this Ordinance will achieve for the City.
1699 The first, again, associated with the creation of the Special Preservation Zoning District
1700 itself. So that's a text amendment. The second is the Zoning Map amendment that
1701 would provide the Special Preservation Zoning area to be overlayed on that same area
1702 that would match the Future Land Use Map for that consistency item that we talked about
1703 before. The third point is, this would result in sunseting the current special preservation
1704 moratorium, which would kind of allow us to turn the page on this Item and then keep
1705 progressing as a City.

1706 If City Council does choose to approve this Ordinance on first reading, we would,
1707 of course, have a second reading during a public hearing. This would prompt City Staff
1708 to make that Zoning Map amendment and provide that consistency. The Planning &
1709 Zoning Board did vote favorably. I believe it was 7-0, unanimous vote, to move forward
1710 with the zoning amendment and map amendment. In addition to, City Staff is
1711 recommending that the City Council consider approval of this Ordinance. We also have
1712 joining us tonight, Attorney Andrew Bauman from Lewis, Bauman & Walker. And he also
1713 has a few slides that he'll present in a moment.

I just wanna go through a few of the maps that I referenced previously. The first is the Future Land Use Map, and this adopted within the City's Comprehensive Plan. On the top right area of the screen, you'll see a green area that has been circled in red. This is the specific area that is currently designated Special Preservation Future Land Use. A closer detail of this location, specifically calling out that, that area of land, which is located north of Pine Point and west of North Ocean Drive. So, here's the City's Zoning Map, which is required to be consistent and compatible with the Future Land Use Map and on that top right area, you'll a yellow coloration instead of a green coloration. That yellow color designates a single-family zoning designation versus the special preservation zoning designation. So what this Ordinance would do is create that new zoning designation as shown on the righthand side of the screen in the green color versus the yellow zoning designation, which is the RS5 single-family zoning designation. So this, this Ordinance would provide for that amendment and correct that issue that we have with our maps currently.

So at this point, I would like to turn over the microphone too Attorney Bauman, if he's available to continue with the presentation and I'll continue to advance the slides. Thank you.

Mr. A. Bauman: Good evening, Councilpersons. The slide that you have in front of you explains the, the reason for the City's action in this case. What you have in front of you is essentially what we refer to as the hierarchy of Land Use Authority. So, if you're talking about development and land use at the local level, at the very top of that, of that pyramid is the Comprehensive Plan from the standpoint of, of controlling and planning development within your community. The Comprehensive Plan is like the equivalent of a Constitution, if you will. The Comprehensive Plan is required by the Florida statute, has been since the mid '80's, Chapter 163.3194, requires the City to adopt a Comprehensive Plan, and that statute requires that every City's Comprehensive Plan must contain a certain required elements like identifying Future Land Uses, a transportation element, all of those things. It's a long-range blueprint, if you will, for the City.

Below the Comprehensive Plan sits the Land Development Code, or the zoning regulations. And, the zoning regulations are interesting because cities have had zoning regulations for far longer than they've had Comprehensive Plans. The City's zoning regulations go back..., many of the ones that we looked at in this case, go back to the '70's. And yet, the City Comprehensive Plan is a product of the '80's. So, in many cases, zoning regulations were already in place when the Florida legislature passed the original Growth Management Act, and required the Comprehensive Planning be the, the, the, the top of this hierarchy, and requires, in the statute, that these land development regulations, if they're not already in place, must be developed to be consistent with the Comprehensive Plan. And any land development regulations that exist at the time that the Plan is adopted, including amend'.., amendments to the Comprehensive Plan, which are not consistent with the adopted Comprehensive Plan, have to be amended to make them consistent. So you can't have a, a Comprehensive Plan that said that something has to be blue and a zoning code that says that that same thing has to be red. You, you must make the two consistent.

1757 And then below the Land Development Code, is what we call development orders
1758 or development permits. Development orders and development permits are essentially
1759 the individual actions that the City takes at any one time to approve activity on land within
1760 the City. It can be your building permits, zoning approvals, variances, approving plats
1761 and subdivisions, special exceptions, any of those official type actions that people need
1762 in order to go about developing land which, in itself, is kind of identified as changing the
1763 land in some physical way.

1764 Jeff, can you advance the, the slide?

1765 [Pause]

1766 **Assistant Development Services Director Gagnon:** I'm attempting to move one ahead
1767 here.

1768 [Pause]

1769 **Mr. A. Bauman:** There we go. So, the Comprehensive Plan, under the Florida
1770 statutes, says that any time you adopt a Comprehensive Plan, or any time you amend a
1771 Comprehensive Plan, you are supposed to go back and fix your development code to be
1772 consistent with those amendments. The, the law is that, in the event of a conflict between
1773 the two, the Comprehensive Plan controls. It is at the top of the.., of, of, of that hierarchy.
1774 So, you, you can't enforce or carry out actions under a land development code or, or
1775 zoning approval and give development permits to people, like building permits, zonings,
1776 special exceptions based upon that development code if it's inconsistent with the
1777 Comprehensive Plan.

1778 And, the law recognizes that there will be occasions where you'll have these
1779 interim periods of inconsistency. And we highlighted some language in the statute for
1780 you that states that during the interim period, when the provisions of the most recently
1781 adopted Comprehensive Plan or element, or a portion thereof, and the Land Development
1782 Code already existed, the provisions of the most recently adopted Comprehensive Plan,
1783 or element thereof, shall govern any action taken in regard to application for a
1784 development order. So, that sets.., that is supposed to cover that gap because the
1785 Comprehensive Plan process is, is, is a different process for, for amending and adopting
1786 your Comprehensive Plan then, then it is for changing your zoning. Recall that that's the
1787 process where you have to transmit copies of the, the amendment to the state. Now it's
1788 the Department of Economic Opportunity. They have to review it and get comments back
1789 from all the agencies. It follows a different process. And so, very often, the, the
1790 Comprehensive Plan is out ahead of the zoning code.

1791 So, we heard a couple of comments from.., on the.., the public comment about
1792 enforcement of consistency with the Comprehensive Plan. So, the Comprehensive Plan
1793 is essentially citizen enforced, in terms of how it's, it's implemented. Chapter 163, Section
1794 3215 of the Florida statutes, creates a, a mechanism by which any, essentially any citizen
1795 is able to come forward as a resident of Riviera Beach and say, 'City, you have issued a
1796 building permit, a subdivision approval, a variance,, any other kind of permit, 'that is

1797 inconsistent with your Comprehensive Plan.’ And, they can seek declaratory.., a
1798 declaratory judgment or injunctive relief, against the government, and essentially have
1799 the court declare the City’s actions to be inconsistent with the Comprehensive Plan. And
1800 can further enjoin the City from taking any further action under that, that repugnant
1801 development order.

1802 Very famous case out of Martin County, a few years back that, that I know your
1803 City Attorney Staff is familiar with, the Pine Crest Lakes v. Shide case, an example of
1804 that, a Comprehensive Plan required one thing. The Martin County issued development
1805 permits and what not for something different that allowed the construction of a certain
1806 configuration of an apartment building, the citizens went to court over that decision and
1807 at the end of the day, the court said that, ‘You know, this is inconsistent with, with the
1808 county, this is inconsistent with your Comprehensive Plan, and if we don’t do anything
1809 about it, Comprehensive Plans don’t mean anything.’ And ultimately, the developer of
1810 that condominium complex was forced to actually tear down buildings, by the court. So,
1811 this has teeth in it.

1812 Recently, last year in fact, the, the prevailing party, whether it’s the resident or the
1813 City, is entitled to their attorney’s fees for bringing this sort of action. That’s the, the, the
1814 last bullet point at the bottom of the slide. That was added recently to the statute. I
1815 believe last legislative session, to provide both teeth for citizens who were seeking to
1816 enforce the Comprehensive Plan, but also to provide teeth for the government that was
1817 being maybe harassed by citizens on otherwise baseless, what we call Comprehensive
1818 Plan consistency challenges.

1819 So, the Special Preservation Land Use has been in effect since 1989. Policy 1.8.1
1820 of the Comprehensive Plan and it sets out the requirements of what can be done in the
1821 areas that were shown in green on that Future Land Use Map in the Comprehensive Plan.
1822 Those restrictions have been placed on these properties since 1989. Any approval that
1823 the City gives a landowner that is inconsistent with what you see on this, on this page,
1824 could be taken to court and found to be inconsistent with the City’s Comprehensive Plan,
1825 and therefore, unenforceable. And now, under the, the new edition of the statute, the City
1826 could have to pay the residents or the groups attorney’s fees. The one thing that is
1827 notable that we did highlight in that box, when you last the maximum dens’.., intensities
1828 and densities for land use categories, what you’re seeing in this box on the righthand side
1829 is all of the Future Land Use categories in the City of Riviera Beach, from the Port to
1830 single-family residences.

1831 Next to them, you have floor area ratios, which would be a measure of
1832 nonresidential intensity for commercial or industrial development. And then, in the last
1833 column, you have densities. So, in floor area ratio for noncommercial development, you
1834 see that special preservation was assigned a 0.0 floor area ratio. What that means is that
1835 there is no square footage of commercial or industrial use that is permitted to be
1836 constructed on land inside of these.., inside of this land use category under the
1837 Comprehensive Plan.

1838 Next to it, you see density, which is the number of residential units allowed. And,
1839 you'll see that in the residential categories, and in the mixed-use categories, you'll see
1840 lists of the number... of residential units per acres. And then when you go down, you'll
1841 see that many of the categories have blanks, such as commercial, working waterfront, et.
1842 cetera and in many cases, that's because there's, there's no residential permitted in those
1843 categories, such as recreational utility industrial. And the same is true of the special
1844 preservations. So there's no residential allowed.

1845 The problem is that we have a zoning code that says something different. And has
1846 said something different for quite some time. The, the zoning code, by contrast, was laid
1847 down prior to this Comprehensive Plan and it says that you can build five residential units
1848 per acre, within this same land that is identified as having no residential units per acre.
1849 And has a whole other list of categories and setbacks and what not, whereas those types
1850 of uses are not permitted under this special preservation land use that's been in effect
1851 and been in the City's Comprehensive Plan since 1989.

1852 Now, that is not unusual. A lot of cities amend their Comprehensive Plans multiple
1853 times a year. May of those Comprehensive Plan amendments are specific to pieces of
1854 property, an applicant initiates something to amend the Comprehensive Plan for some
1855 form of development let's say. And that gets done. And, let's say that we change the
1856 Future Land Use Map where we create some, some new Comprehensive Plan
1857 designation, and that may require changes and alterations to your, your Land
1858 Development Code but in some cases, one change in the Comprehensive Plan might
1859 cause a need to go back though and change the Land Development Code in four or five,
1860 ten, twelve different places. And sometimes, to be perfectly honest, Palm Beach County
1861 in their instance, Riviera Beach in theirs, many other cities, sometimes lag behind in
1862 getting their change done. Sometimes some of the changes are done and others are
1863 missed, and occasionally you have, you know, cleanup occurs.

1864 In this case what we have, is we have something that's, that's sown bit of
1865 confusion, if you will, among the public, among interested parties where people look at
1866 the zoning designations on their property and think that that's what they can do. And yet,
1867 the zoning that may be applicable to their property is completely unenforceable because
1868 the Comprehensive Plan has said something else for, you know, thirty years. Or Forty
1869 years.

1870 So, what we're..., what we're talking about doing here is fixing something that was
1871 actually required by the Comprehensive Plan, when this was adopted, elsewhere in the
1872 Plan when this was adopted. There is a policy that says that the, the City is supposed to
1873 go back through and adjust it's land development regulations. For whatever reason, it
1874 didn't happen. But, this cleans up an area of contention, it cleans up an area of confusion
1875 and it brings the City back into compliance with state statue and allows the City to point
1876 its zoning code and Comprehensive Plan, together, and say that you can or cannot
1877 perform some particular act, in terms of changing or developing property in this area.

1878 Is there another slide Jeff? No? Doesn't look like it.

1879 **Assistant Development Services Director Gagnon:** That was our final slide for the
 1880 Staff presentation. Thank you, Andy.

1881 **Chairperson Botel:** Thank you...

1882 **Mr. A. Bauman:** You're welcome.

1883 **Chairperson Botel:** ...Mr. Bauman. Mr. Bauman, I have a question before you
 1884 turn camera off. Is anything that this.., if we adopt this Ordinance, is there anything that
 1885 could be construed as a taking on the part of the attorneys or whoever represents certain
 1886 landowners?

1887 **Mr. A. Bauman:** [Video Skipped]. The answer to that is that people will try. Because
 1888 people always try. But, from our view, we do not believe that this is.., that this amounts
 1889 to a taking. And the reason for that is that we're not actually changing anything. The
 1890 Comprehensive Plan has already had these restrictions in place, on this property for forty
 1891 years. The zoning code said something else, and the zoning code, by law, in the statutes
 1892 that I've shown you, was unenforceable in that, in that respect. It's.., and it's done nothing
 1893 but sow confusion. So, our position is that we're not adding any new restrictions to the,
 1894 to the, the properties. The restrictions were already in place in the Comprehensive Plan.
 1895 The Comprehensive Plan does list the types of activities that can be undertaken, and the
 1896 types of development that can occur on those properties and from the City's standpoint,
 1897 if this Comprehensive Plan provision applies to your property, any, any building permit or
 1898 approval that we would give you that says something different, would be unenforceable
 1899 and null under the law.

1900 **Chairperson Botel:** And, in fact, Mr. Bauman, just to follow up on that. If we were
 1901 to give a building permit or some permission to build on that property, by what I think
 1902 you've just said was that another entity, another taxpayer could sue the City and be
 1903 entitled to their...

1904 **Mr. A. Bauman:** Another resident.

1905 **Chairperson Botel:** Another resident could sue the City...

1906 **Mr. A. Bauman:** Mhmm.

1907 **Chairperson Botel:** ...and be entitled to their court costs if they won.

1908 **Mr. A. Bauman:** That would, that would be correct. Yes.

1909 **Chairperson Botel:** Okay. Thank you. Any other questions or comments from...
 1910 Mr. McCoy.

1911 **Councilperson McCoy:** Thank you, Madam Chair. Mr. Bauman, hello. And Mr.
 1912 Gagnon, hi. I was looking at the Ordinance. Two things.., and I, I guess I'll ask Mr.
 1913 Bauman first, so, the Growth Management act of.., is it '85?

1914 **Mr. A. Bauman:** Originally. It's been amended several times, but yes.

1915 **Councilperson McCoy:** Okay. So, at what point was the preservation, or special
 1916 preservation, adopted in our [stammer] Comprehensive Plan? When or around, what
 1917 time was that?

1918 **Mr. A. Bauman:** The, the, the previous slide says '89. It, you know, it's not clear when,
 1919 to me, as I'm sitting here in a hotel room talking to you guys [chuckle], whether it was in
 1920 actually in '89 or if it was in the early '90's. But, it's been in place since before the, the
 1921 millennium.

1922 **Councilperson McCoy:** Okay.

1923 **Mr. A. Bauman:** [Inaudible]. Decades.

1924 **Councilperson McCoy:** Okay. And, looking at the Ordinance, it references the mean,
 1925 low water line.

1926 **Mr. A. Bauman:** Yes.

1927 **Councilperson McCoy:** What does that..., who measures that and how is...

1928 **Mr. A. Bauman:** Okay.

1929 **Councilperson McCoy:** ...that measured, 'because I've seen that referenced a couple
 1930 times. So...

1931 **Mr. A. Bauman:** Sure. And...

1932 **Councilperson McCoy:** ...can you speak to that?

1933 **Mr. A. Bauman:** And you, and you., you've probably seen references to both the
 1934 mean low water line, and probably even more references to the mean high-water line.
 1935 And so, just so you know, those are, those are terms of [stammer] not really terms of art,
 1936 but they're terms of regulation that are used by state and federal agencies, local
 1937 governments and what not. The mean, or the average, of those is actually an elevation
 1938 that any surveyor can shoot in, in surveying a piece of property. And, in the case of the
 1939 mean low water line, it is a, a nineteen-year average of low tides, taken at the nearest
 1940 tide station to this location.

1941 And so, that, that line can, you know, that, that elevation can change in fractions.
 1942 And I'm sure with sea level rise [chuckle], and what not, that might, that might change as
 1943 well. But, whether we're talking the mean low water line or the mean high-water line, they
 1944 call that a, a circadian cycle, and it's a nineteen-year average of the tidal information that
 1945 the surveyor can collect, any surveyor does. You see surveys all the time that contain
 1946 references to the mean high-water line that's easily obtain one for the mean low water
 1947 line. But it is the average over nineteen years, it is the average elevation of the land

1948 where, at low tide, the, the water starts. So, at high tide, that same water would..., that
1949 same land would be under water.

1950 [Pause]

1951 **Mr. A. Bauman:** I'm sorry, Mr. McCoy. Your, your microphone's off.

1952 **Councilperson McCoy:** Thank you.

1953 **Mr. A. Bauman:** Oh. Okay.

1954 **Councilperson McCoy:** One, one last question. So, I'm looking...

1955 **Mr. A. Bauman:** Yeah.

1956 **Councilperson McCoy:** ...at the Ordinance...

1957 **Mr. A. Bauman:** Mhmm.

1958 **Councilperson McCoy:** ...and perhaps someone can explain or speak to, there's a
1959 section that contains asterisks in the section of the Ordinance that speaks to judicially
1960 determined vested rights and I'm...

1961 **Mr. A. Bauman:** Yes.

1962 **Councilperson McCoy:** ...not sure what I understand what those asterisks mean
1963 between Section 3 and Section 4.

1964 **Mr. A. Bauman:** Okay.

1965 **Councilperson McCoy:** Is that a placeholder or something? What exactly is that
1966 supposed to represent?

1967 **Mr. A. Bauman:** The, the reference to the judicially determined vested rights, is
1968 actually a provision that is in the Comprehensive Plan itself. So, the Comprehensive Plan
1969 when it was adopted, contained what we, what we refer to as a savings clause. And it
1970 basically says that the policy objective of the City to basically oppose and, and, and
1971 prevent any development of these bottom lands, submerged lands, wetlands will not be
1972 construed or implemented to impair or preclude what they refer to as judicially determined
1973 vested rights to develop or alter submerged lands. So what that means is that.., that's
1974 referring to, like, takings liability.

1975 So, when the drafters of this provision put this in here, you know, a few decades
1976 ago, they put a.., they put a, like, an escape hatch in it, hat said that, 'Look, you know, we
1977 realize that prior to adding this Comprehensive Plan provision, there were things that, that
1978 people who owned the property at that time could do. And, we realized that after we
1979 implement this Comprehensive Plan provision, we clearly very restricted what, what
1980 people can do with this same piece of land. And so, back in the late '80's, early '90's

1981 when these provisions were being put into the Comprehensive Plan, they added this
1982 provision that said that, look, if a court finds that you had a, a previous vest right to fill this
1983 land... And fill usually, at this time, would refer to activities in wetland, activities on
1984 submerged land, fill was, was usually referring to dumping a bunch of dirt into the water
1985 and making land. Very similar to the area at Pine Point Road, if you're going south. You
1986 know, enclosing it in the seawall and making new land.

1987 And what the, what the, what the drafters of this provision, which predates my
1988 involvement but it's not uncommon, what they did was they recognized that when this
1989 Comprehensive Plan was being amended back, back in the '80's and '90's, that they were
1990 going to seriously alter rights that might be in place on their property and they didn't wanna
1991 be subjected to a taking. So, with that in mind, if a party has a court determine that they
1992 have a preexisting vested right to fill the submerged land, then the Comprehensive Plan
1993 amendment that we're talking about here, does not apply to them and that avoids the City
1994 having to incur, you know, large sums of money in terms of liability [inaudible] for the
1995 taking. That same savings clause language, since..., this..., since this zoning provision,
1996 this new zoning category is, is designed to do nothing but carry what's in the
1997 Comprehensive Plan into the zoning code, not add anything new. That savings clause
1998 was also carried into the zoning ordinance as well.

1999 So essentially, the zoning ordinance is saying that if the special..., if the
2000 Comprehensive Plan is found not to apply to your property, then the zoning code that
2001 implements it, is also found not to apply to your property. And that's designed to protect
2002 you, the City.

2003 **Chairperson Botel:** Anything else, Mr. McCoy?

2004 **Councilperson McCoy:** Thank you, Madam Chair. Thank you, Mr. Bauman.

2005 **Chairperson Botel:** Anyone else?

2006 **Mr. A. Bauman:** You're welcome.

2007 **Chairperson Botel:** Mr. Lawson.

2008 **Chair Pro Tem Lawson:** Thank you, Madam Chair. And thank you, Mr. Bauman, for
2009 the presentation as well. The zoning and the Comp Plan don't match, does one have a
2010 precedence over the other?

2011 **Mr. A. Bauman:** I'm sorry. The zoning and the Comp Plan...

2012 **Chair Pro Tem Lawson:** Do not match.

2013 **Mr. A. Bauman:** [Inaudible].

2014 **Chair Pro Tem Lawson:** Based upon them not being updated, essentially, you stated
2015 that we did not update the Comprehensive Plan..., the zoning once we updated the
2016 Comprehensive Plan...

2017 **Mr. A. Bauman:** Correct.

2018 **Chair Pro Tem Lawson:** Does one have precedence over the other?

2019 **Mr. A. Bauman:** Yes. The Comprehensive Plan, by law, supersedes the zoning.

2020 **Chair Pro Tem Lawson:** Okay. So, by law supersedes. So, that Comprehensive Plan
 2021 has been updated and that Comprehensive Plan reflected this special preservation.

2022 Mr. Gagnon, if you could bring up the map again. Mr. Gagnon, if you could bring
 2023 up the map again of the special preservation. And the change that we're looking to make.
 2024 Because I had a question in reference to that. [Pause]. And also, Mr. Gagnon, if you can
 2025 email this presentation. I didn't see it in the backup. If you could email this out to the
 2026 Council as well.

2027 **Chairperson Botel:** I think we got it from the last meeting, but we could always
 2028 send it again.

2029 [Pause]

2030 **Chair Pro Tem Lawson:** Okay. Perfect. So, Mr. Gagnon, the area that is currently
 2031 outlined as special preservation on the proposed amendment, there's still land that is
 2032 encompassed just outside of Pine Point that I'm looking at.

2033 **Assistant Development Services Director Gagnon:** Correct.

2034 **Chair Pro Tem Lawson:** What could...

2035 **Assistant Development Services Director Gagnon:** Just north of...

2036 **Chair Pro Tem Lawson:** ...be done on that...

2037 **Assistant Development Services Director Gagnon:** ...Pine Point Road.

2038 **Chair Pro Tem Lawson:** Can anything just north of Pine Point Road be done on that
 2039 land that is just south of the special preservation or wetlands that's there?

2040 **Assistant Development Services Director Gagnon:** So, the current Future Land Use
 2041 designation would be single-family residential, which would be consistent with the zoning
 2042 regulations.

2043 **Chair Pro Tem Lawson:** Mhmm.

2044 **Assistant Development Services Director Gagnon:** There is a wetlands section of the
 2045 code that currently exists as well. So, there would have to be a determination that that
 2046 area does not fall within the wetland area. It, it, it's, to my knowledge, a mangrove forest
 2047 at this point. So, another code section would apply that kinda goes beyond the current
 2048 Future Land Use and zoning designation.

2049 **Chair Pro Tem Lawson:** Have we done any studies to show that that area is wetlands?

2050 **Assistant Development Services Director Gagnon:** The way that our code is set up,
2051 that burden is placed on the applicant.

2052 **Chair Pro Tem Lawson:** Okay. So, we do not know if that area is a wetlands area, and
2053 nothing has been presented to the Council in reference to that land being wetlands or
2054 not?

2055 **Assistant Development Services Director Gagnon:** We do have a section of the
2056 Comprehensive Plan that does refer to it as a wetland area. I'd have to find the specific
2057 page section, but I'd be happy to reference that and provide that to City Council as well.

2058 **Chair Pro Tem Lawson:** Please. Now, follow up to the question. Under the current
2059 Comp Plan, in that land that's in dispute where there's some landowners that's looking to
2060 build in that area. Are those landowners able to build in that area under the current Comp
2061 Plan?

2062 **Assistant Development Services Director Gagnon:** I, I think it's too general of a
2063 question. I apologize. This, this Ordinance is more of a global impact, and I know there's
2064 a few different property owners that have expressed interest in developing property, so I
2065 think we need to drill down on specific properties to fully answer that question.

2066 **Chair Pro Tem Lawson:** Okay. If you could..., you can remove the screen sharing, Mr.
2067 Gagnon. If you could bring the entire Council back. Thank you, Mr. Gagnon.

2068 So, you're saying that we would have to dig down on specific properties in that
2069 area to determine if anything can be built in that area. So, as of right now, we don't have
2070 a determination if anything can or cannot be built based upon the current Comp Plan, but
2071 we'd have to actually give you specific parcels and lots for you to make that
2072 determination?

2073 **Mr. A. Bauman:** If I may?

2074 **Chair Pro Tem Lawson:** Thank you, Mr. Bauman.

2075 **Mr. A. Bauman:** There appears to be only one landowner who potentially has, in his
2076 hand, a judicially determined preexisting vested right to do something on that property,
2077 and it's Mr. Taylor.

2078 **Chair Pro Tem Lawson:** Okay. So Mr. Taylor does have the ability, under the current
2079 Comp Plan to actually build on those parcels?

2080 **Mr. A. Bauman:** To do something. But it remains...

2081 **Chair Pro Tem Lawson:** To do something.

2082 **Mr. A. Bauman:** Yes. To.., but it remains subject to zoning codes, and it remains
2083 subject to state and federal regulations.

2084 **Chair Pro Tem Lawson:** And it's at the responsibility of the applicant to provide those
2085 regulations to the City? To submit application for development.

2086 **Mr. A. Bauman:** Yes. But our Comprehensive Plan states that, that if an individual
2087 has these judicially determined preexisting rights to do something, that, that essentially
2088 they have to still obtain state and federal permits. So therefore, they would have to
2089 provide proof of that.

2090 **Chair Pro Tem Lawson:** Okay. Thank you, Mr. Bauman. I appreciate that.

2091 Mr. Gagnon, I, I actually found... I'm sorry, Madam Chair. If I can just have a
2092 continuation...

2093 **Chairperson Botel:** Sure. Go...

2094 **Chair Pro Tem Lawson:** ...with Mr. Gagnon.

2095 **Chairperson Botel:** Go right ahead.

2096 **Chair Pro Tem Lawson:** Thank you.

2097 **Chairperson Botel:** Mhmm.

2098 **Chair Pro Tem Lawson:** Mr. Gagnon, I travelled near that parcel down Pine Point and
2099 I noticed that there was some fencing built on that parcel. Was permitting obtained for
2100 that fence that was built there? [Pause]. Near the, near the wetlands, the preservation
2101 that we're looking to, to have access.

2102 **Assistant Development Services Director Gagnon:** Yes. But there's a long history
2103 associated with that fence.

2104 **Chair Pro Tem Lawson:** I just need...

2105 **Assistant Development Services Director Gagnon:** I think we'd have to...

2106 **Chair Pro Tem Lawson:** I just need the...

2107 **Assistant Development Services Director Gagnon:** ...put something...

2108 **Chair Pro Tem Lawson:** I just need the short version. Was a permit obtained for that
2109 fence?

2110 **Assistant Development Services Director Gagnon:** A permit was issued and then it
2111 was repealed.

2112 **Chair Pro Tem Lawson:** Okay. So a permit was repealed on that. So, are the, the
 2113 individuals that built that fence being cited for that fence, currently?

2114 **Assistant Development Services Director Gagnon:** There's current code compliance
 2115 activity associated with the fence. And, we are working with the property owner to come
 2116 to a resolution to the item.

2117 **Chair Pro Tem Lawson:** Okay. How long is that gonna take, Mr. Gagnon? Are we
 2118 waiting to see what happens with this before that determination is made or does one
 2119 proceed the other...

2120 **Assistant Development Services Director Gagnon:** No.

2121 **Chair Pro Tem Lawson:** ...and...

2122 **Assistant Development Services Director Gagnon:** It... it's really dependent on the
 2123 code compliance process, and I'll defer to Legal on that process.

2124 **Mr. A. Bauman:** And, and Councilperson Lawson...

2125 **Chair Pro Tem Lawson:** Yes.

2126 **Mr. A. Bauman:** This...

2127 **Chair Pro Tem Lawson:** Yes, sir.

2128 **Mr. A. Bauman:** This action by the, by the Council should not actually impact that, that
 2129 fence dispute on that property.

2130 **Chair Pro Tem Lawson:** It's difficult for me to make that vote, Mr. Bauman, though, with
 2131 a should not. I need more of a definitive to understand. Because, our...

2132 **Mr. A. Bauman:** Sure.

2133 **Chair Pro Tem Lawson:** ...issue that we run into is, we're currently in litigation, and this
 2134 Council recently approved a lawsuit with one of the landowners on this property, close to
 2135 \$800,000. And, I don't wanna continue to jeopardize or put the City's dollars in jeopardy,
 2136 with going into constant lawsuits. We cannot stop anyone from filing suit against the City,
 2137 but at the same time, I just need definitive answers to be able to, in good faith, answer ye
 2138 or nay in regards to this current Ordinance.

2139 Okay. Follow... Well, I'm gonna actually let any of my other colleagues, Madam
 2140 Chair, go. I just have a few questions though. If I could reserve some time.

2141 **Chairperson Botel:** Any other Councilpeople wish to have a question or a
 2142 comment?

2143 **Mayor Felder:** Madam, Madam Chair?

2144 **Chairperson Botel:** Mayor Felder. Thank you.

2145 **Mayor Felder:** Mr. Gagnon? Did you say there was a permit for the gate, and a
 2146 permit was waived? What did you say about the permit for the fence?

2147 **Assistant Development Services Director Gagnon:** It was issued and then rescinded.

2148 **Mayor Felder:** Reason why?

2149 **Chairperson Botel:** I think we should...

2150 **Assistant Development Services Director Gagnon:** Because it was determined...

2151 **Chairperson Botel:** ...defer to Legal.

2152 **Assistant Development Services Director Gagnon:** ...that it was issued in error. It
 2153 didn't...

2154 **Chairperson Botel:** Ms. Bus'...

2155 **Assistant Development Services Director Gagon:** ...follow the...

2156 **Chairperson Botel:** Ms. Busby is looking...

2157 **Assistant Development Services Director Gagnon:** ...complete review process.

2158 **Chairperson Botel:** Mr. Gagnon, I think Ms. Busby is looking to weigh in there.
 2159 Thank you.

2160 **Assistant City Attorney Busby:** Yes. Thank you, Chair Botel, and good evening,
 2161 Mayor. I just want to support Mr. Gagnon's comment and say that, yes, that was rescinded.
 2162 It was submitted at a time that we had the active moratorium. If that's... I'm sorry. Am I
 2163 not talking the correct permits? Can you..., specifically, can you just tell me what permit
 2164 exactly?

2165 **Mayor Felder:** I heard Councilman Lawson ask about the fencing of the resident,
 2166 that was a permit issued, and so my question was, you're saying that permit was
 2167 rescinded. Who rescinded that permit? Was it the last Council or?

2168 **Assistant City Attorney Busby:** I'm sorry. Because we had application for different
 2169 fence permits. So, if you could specify the actual address that we're discussing. Is it
 2170 5101 North Ocean? Is it an...

2171 **Mayor Felder:** Mr. Gagnon, can you give...

2172 **Assistant City Attorney Busby:** ...[inaudible]?

2173 **Mayor Felder:** ...the information?

2174 **Chairperson Botel:** Ms. Busby, I think he's referring to the Pine Point fence.

2175 **Assistant City Attorney Busby:** Okay. So, yes. Development Services did rescind
2176 that, that, that permit.

2177 **Mayor Felder:** Okay, Madam Chair. That's it for me.

2178 **Chairperson Botel:** Thank you, Mayor. Anyone else? Mr. Lawson, you...

2179 **Chair Pro Tem Lawson:** Madam Chair?

2180 **Chairperson Botel:** ...had some more questions? Yes. Go ahead then.

2181 **Chair Pro Tem Lawson:** Thank you. Thank you, Madam Chair. Mr. Bauman, the
2182 [pause], the concern, or the reason that I actually want to know about these parcels, and...
2183 Well, first thing, about the zoning. If anything preceded [inaudible] or if we had to go with
2184 the Comp or the zoning plan, and you said that the Comp did supersede the zoning plan.
2185 I wanna make sure that we're put in a position that we're, we're legally sound, we're not
2186 going to jeopardize any taxpayers and taxpayers' dollars when it comes to a potential
2187 lawsuit. My concern tonight is that there is one landowner that has the ability, or the
2188 possibility, to develop in that area, or that parcel that will be effected by this problem.
2189 And, if we pass this Ordinance today, will that remove his ability to be able to develop on
2190 that parcel?

2191 **Mr. A. Bauman:** No.

2192 **Chair Pro Tem Lawson:** So, he can still develop as long as he gets the proper
2193 regulations from the states? And is brings that over to the City for approval?

2194 **Mr. A. Bauman:** And ,and meets the City's zoning code. Not the code that we're
2195 amending today, but other provisions of the City's zoning code.

2196 **Chair Pro Tem Lawson:** Okay. So, the zoning code has no effect on that individual
2197 landowner?

2198 **Mr. A. Bauman:** This zoning change should not be effecting that landowner, no.

2199 **Chair Pro Tem Lawson:** Okay.

2200 **Chairperson Botel:** [Inaudible].

2201 **Chair Pro Tem Lawson:** So, do res'... Go ahead, Madam Chair.

2202 **Chairperson Botel:** I just wanna be sure that you're speaking about the same
2203 individual.

2204 **Mr. A. Bauman:** I'm referring to Mr. Taylor.

2205 **Chairperson Botel:** And Mr. Lawson's referring to Mr. Lozman.

2206 **Chair Pro Tem Lawson:** No, I'm not, Madam Chair. I'm...

2207 **Chairperson Botel:** Oh, okay.

2208 **Chair Pro Tem Lawson:** ...I'm sorry, Madam Chair.

2209 **Chairperson Botel:** I'm sorry.

2210 **Chair Pro Tem Lawson:** I, I was referring to the..., I was not referring to any individual
 2211 person. I was referring to the landowners of all the parcels in that area. And...

2212 **Chairperson Botel:** [Audio Skipped] you were saying one, one landowner, I
 2213 thought..., I assumed you meant...

2214 **Chair Pro Tem Lawson:** I'm sorry, you...

2215 **Chairperson Botel:** ...Mr. Lawson, because Mr. Bauman already, already
 2216 confirmed the fact that Mr. Taylor is not affected at all by this. So that's why..., that's why
 2217 I, I...

2218 **Mr. A. Bauman:** Yeah. And [stammer]...

2219 **Chair Pro Tem Lawson:** [Audio Skipped].

2220 **Mr. A. Bauman:** ...Councilperson Lawson.

2221 **Chair Pro Tem Lawson:** S, do the resident'... Go ahead, Mr. Bauman.

2222 **Mr. A. Bauman:** When, when you had said one landowner, I assumed you were
 2223 referring to Mr. Taylor who sort of occupies a unique position here.

2224 **Chair Pro Tem Lawson:** Well, you, you stated that there's only one landowner in that
 2225 area that can develop. And building something, as you stated.

2226 **Chairperson Botel:** Right.

2227 **Mr. A. Bauman:** Well...

2228 **Chair Pro Tem Lawson:** Okay. So...

2229 **Mr. A. Bauman:** That ha'..., that, that is outside of, or does not have this
 2230 Comprehensive Plan provision applied to him.

2231 **Chair Pro Tem Lawson:** Understood. Understood. And...

2232 **Mr. A. Bauman:** So, [Audio Skipped] do something, but perhaps not as much as Mr.
 2233 Taylor.

2234 **Chair Pro Tem Lawson:** Understood. Understood. So, and I wanna make sure that
2235 the residents understand that Mr. Taylor still has the ability to develop on his parcel, as
2236 long as he provides and...

2237 **Mr. A. Bauman:** Of course.

2238 **Chair Pro Tem Lawson:** ...obtains... [Stammer]. Correct. So as long as he follows
2239 the rules. So, this Ordinance is not stopping anything from Mr. Taylor's parcels. And, in
2240 addition to the other parcels, I believe Dr. Botel requested or asked in reference to a
2241 taking. I wanted to address that concern as well because I wanna make sure that we're
2242 not getting into a position where this could be considered a taking of anyone's property,
2243 with changing these preservations. So, I really wanna understand that before I.., before
2244 we go to vote a little bit more in depth.

2245 **Mr. A. Bauman:** Okay.

2246 **Chair Pro Tem Lawson:** Because, as of, as of right now, the parcels seems as if we're
2247 going to change a zoning to match our Comp Plan, and that was essentially an error that
2248 was missed, years ago when the Comprehensive Plan was updated, now, the individuals
2249 that purchased the land in that area, is not at fault for the error made by the City but, at
2250 the same time, if that Comp Plan will not allow for them to develop, or never has allowed
2251 for them to develop, why is there so much of a question in regards to development of that
2252 parcel? And I'm not sure if that's rhetorical or if that's a question that's a question that
2253 you can possibly give an answer for, but I just wanna understand if that land could never
2254 be developed, why are we having discussions and concerns with residents in regards to
2255 that property being developed?

2256 **Mr. A. Bauman:** Well, I, I think what we've, what we've seen is, you know, the, the
2257 Comprehensive Plan and the zoning code are, are both public regulations available to
2258 everybody, puts the world on notice as to what you can or cannot do on a piece of
2259 property. You should be looking at both of those when you, when you purchase a piece
2260 of property. However, in a case like this where you have the two different codes maybe
2261 saying two different things, it appears that it, it creates confusion on the part of maybe
2262 landowners, maybe residents, maybe even City Staff, as to what can be allowed. And
2263 that's why they're supposed to be consistent so that you don't have this, this confusion.

2264 In the case of Mr. Taylor, that property has been owned in one form or another by
2265 the family, passed down in what I'll call less than arms-length transactions. You know,
2266 turned into trusts and what not...

2267 **Chair Pro Tem Lawson:** Mhmm.

2268 **Mr. A. Bauman:** ...long before...

2269 **Chair Pro Tem Lawson:** Mhmm.

2270 **Mr. A. Bauman:** ...the Comprehensive Plan came into law. Many of the other
2271 properties were purchased long after the Comprehensive came.., Plan came along by

2272 essentially strangers to the land, strangers to the transaction, who were under the same
2273 in'..., sort of obligations of, of diligence that say you or I or anyone else would be in buying
2274 a piece of land, to, to gain what we call a reasonable investment backed expectation,
2275 that's taking language, as to what you could put on that land.

2276 **Chair Pro Tem Lawson:** Mhmm.

2277 **Mr. A. Bauman:** So, you, you know, there are, there are cases out there that essen'...,
2278 that, that suggest that you cannot honestly come in and buy a piece of land, let's say the
2279 middle of the everglades and say I'm gonna build a, a high rise condo and I paid a lotta
2280 money and you're not gonna let me and that's taking. And the courts go, 'Wait a second.
2281 You can't come in and buy something that's been subject to these kinds of restrictions for
2282 whatever and...

2283 **Chair Pro Tem Lawson:** [Inaudible].

2284 **Mr. A. Bauman:** ...then honestly tell the court you had a reasonable investment
2285 backed expectation.' That you would be...

2286 **Chair Pro Tem Lawson:** Right.

2287 **Mr. A. Bauman:** ...able to do that. So, what we have been careful to, to try to do with
2288 this Ordinance, is simply remove the, the questions, if you will, or remove the confusion,
2289 not to add any new restrictions to this property but simply just make the two, the two of
2290 them sync up. To remove any doubt, remove, you know, anything like that.

2291 **Chair Pro Tem Lawson:** Understood, Mr. Bauman. Thank you. And, I guess my
2292 concern is that, when was the Comprehensive Plan updated to reflect a special
2293 preservation? Do we know when that update was completed?

2294 **Mr. A. Bauman:** You know, like I said, the slide that I saw there said '89, but I, I frankly
2295 thought it was the 1990's.

2296 **Chair Pro Tem Lawson:** '90's. Alright. So, almost thirty years that it's not matched...

2297 **Mr. A. Bauman:** [Inaudible].

2298 **Chair Pro Tem Lawson:** The zoning and the Comp Plan have not matched. Okay. My
2299 concerns are that we're rushing through putting and updating this Comp Plan and
2300 jeopardizing or putting the City in danger in regards to potential lawsuits. There is one
2301 landowner that won't be affected by this but still has a potential to develop his land. I
2302 never wanna sit or operate in fear of having a lawsuit come against the City, but I wanna
2303 make the, the proper decisions to protect us from the potential and have all the proper
2304 answers in place. Documentation and information is just all that I need to say, 'Hey,
2305 somebody give me the definitive answers that we can do this, we cannot do this,' and I'm
2306 trusting Staff.

2307 I kinda wanna ask Mr. Sirmons, not to put you on the spot, but just to ask you if
2308 you've had an opportunity to review this, all this information?

2309 **Development Services Director Sirmons:** Yes. I have been brought into the
2310 conversations related to two properties in particular, in this area. I has been brought to
2311 my attention that there have been some code violations, as well as some issues with
2312 permits being attained on the property. Those permits were since rescinded, as was said
2313 previously. From what I have heard and gathered and understood to be the issue related
2314 the owner there, that Mr. Bauman has said is correct, that there is potential, yes, that the
2315 City Could be liable for litigation if the zone change takes place. However, if it does not
2316 take place, the City is just as open for litigation. So, I, I think the Council may need to
2317 just balance which risk they think are, are greater there. However, the state law does say
2318 that we should make sure these two documents are consistent with one another.

2319 **Chair Pro Tem Lawson:** Okay. Excellent. Thank you, Mr. Sirmons.

2320 What I would ask is that.., my concern right now is that we're pushing through with
2321 this change in this Ordinance during a pandemic, where there's certain information that
2322 we do not have right now. The wetlands study, although Mr. Gagnon said that's a
2323 responsibly of the landowner to provide, but based upon what we're currently through and
2324 the discussions that we've had, and an Ordinance, a zoning and Comp Plan that hasn't
2325 matched for thirty years, I wanna make sure that we just take the right steps, the, the
2326 proper steps before passing this Ordinance.

2327 One of the things I did ask prior was that could anything be developed on this land,
2328 as of the current sates. And if nothing can be developed, why is it that we're pushing
2329 through with this change without having all of the information in place? I would love to
2330 see us invest into a study to determine the wetlands for that area, prior to us passing this
2331 Ordinance. And just take our time with getting this done and doing it the right way,
2332 because I just don't want to put us liable for another suit that we may not even be in office
2333 to actually deal with, where our taxpayers are still gonna be responsible for. And we just
2334 have to protect them. So, to rush and push this through when I actually requested when
2335 this moratorium was first granted, a workshop to discuss this, which was never obtained
2336 in the twelve months that we've had this moratorium. My first concern was not of the, the
2337 development of the property, but just to protect all residents across the entire City. I know
2338 our residents on Pine Point, I've have had detailed conversations with them, and the
2339 development of that, that location but the only pro'.., process that I had is that I don't
2340 wanna jeopardize the integrity of the city, of this Council in regards to putting against the
2341 potential lawsuits.

2342 So, those were my thoughts and that was my feedback, Madam Chair. Thank you.

2343 **Chairperson Botel:** Thank you. I, I have a question again. I've asked it before, I'll
2344 ask it again and then I'll get you, Mr. McCoy, I saw your hand.

2345 So, Mr. Bauman, just to be clear, the City...

2346 **Mr. A. Bauman:** [Inaudible].

2347 **Chairperson Botel:** ...is at risk of a lawsuit coming from the, I don't know how
2348 many people live along Pine Point. I'm gonna guess thirty, many of them lawyers
2349 themselves. The City would be at risk of having a lawsuit brought against us if we allowed
2350 someone to act in opposition to what's in the Comprehensive Plan and we could be, we
2351 could be at risk there as well. Am I right? Mr. Bauman?

2352 **Mr. A. Bauman:** [Inaudible].

2353 **Chairperson Botel:** Yes. Thank you. And, it's been about thirty years since we
2354 have had the special preservation area in place and we have been remiss, as a City. And
2355 I'm not sure where we got the idea that we're rushing into this if it's been thirty years, and
2356 we are required to bring the zoning into compliance with the Comprehensive Plan. Am I
2357 right, Mr. Bauman? We're required, by law, to bring the zoning...

2358 **Mr. A. Bauman:** Uh...

2359 **Chairperson Botel:** ...into, into compliance. Mr. Bauman?

2360 **Mr. A. Bauman:** Yes, ma'am. You're required by the statute that I cited, as well as
2361 the Comprehensive Plan itself.

2362 **Chairperson Botel:** Right.

2363 **Mr. A. Bauman:** Which actually states that by 2010, the City...

2364 **Chairperson Botel:** Yeah.

2365 **Mr. A. Bauman:** ...shall adopt land development regulations addressing the use of
2366 the bottom lands for the purposes...

2367 **Chairperson Botel:** Right. Right.

2368 **Mr. A. Bauman:** ...listed at the bottom, which are compatible with the City's
2369 preservation policies.

2370 **Chairperson Botel:** Okay. And am I right in saying that anybody who purchased
2371 land, subsequent to the enactment of the Comprehensive Plan, should've done his due
2372 diligence and investigated and found that he couldn't, in fact, develop on that land
2373 because it was special preservation. Am I right about that?

2374 **Mr. A. Bauman:** That is generally the law.

2375 **Chairperson Botel:** Okay.

2376 **Mr. A. Bauman:** Both you and, and Councilperson Lawson have been asking a lot of
2377 questions about taking law. And, I just want both of you to, to bear in mind on that, the
2378 reason I can't..., and the reason I'm reluctant to give definitive answers on anything is that
2379 the, the first..., the first rule that the United States Supreme Court has set out on, on taking

2380 law, going back a couple of hundred years now, is that a takings case is judged each and
 2381 every time...

2382 **Chairperson Botel:** On the...

2383 **Mr. A. Bauman:** On...

2384 **Chairperson Botel:** ...merits of that case.

2385 **Mr. A. Bauman:** ...[Audio Skipped] inference each case is unique and takings law can
 2386 have a lot of twists and turns to it, based upon the, the particular circumstances that are,
 2387 are at issue in that case. There are no hard and fast rules...

2388 **Chairperson Botel:** Right.

2389 **Mr. A. Bauman:** ...or there...

2390 **Chairperson Botel:** We understand.

2391 **Mr. A. Bauman:** ...are far and few of them.

2392 **Chairperson Botel:** Okay.

2393 **Mr. A. Bauman:** But...

2394 **Chairperson Botel:** I'm gonna...

2395 **Mr. A. Bauman:** ...but you are correct that if a, a stranger to a transaction comes in
 2396 and buys land that has been subject to publicly available, publicly enacted regulations
 2397 that say you can't do something, and then proceeds to argue that he has a taking because
 2398 he can't do what has been on the books for a number of years, there are a couple of
 2399 United States Supreme Court cases that kind of called that, like, coming to the [inaudible],
 2400 if you will.

2401 **Chairperson Botel:** Right. Okay. Mr. McCoy had a question and then I wanted to
 2402 ask the Clerk, did we have any public comments for general public comments? Madam
 2403 Clerk? [Pause]. You're, you're not., your sound is not on, Madam Clerk.

2404 **City Clerk Anthony:** Thank you, Madam Chair. In looking at the email address for
 2405 public comments, where public comments are received, there are currently no general
 2406 public comments. However...

2407 **Chairperson Botel:** Alright.

2408 **City Clerk Anthony:** ...that could change.

2409 **Chairperson Botel:** Well, it's.., can we... It's 8:29. Can we close public
 2410 comments? So that we don't have any?

2411 **City Clerk Anthony:** [Inaudible].

2412 **Chairperson Botel:** Sorry.

2413 **City Clerk Anthony:** If that is the desire of the Board.

2414 **Chairperson Botel:** [Audio skipped] do we., we've never taken a vote on that
 2415 before. It's after the time for pub'... Public comments are usually at 7:30. It's 8:30 now.
 2416 Ms. Miller-Anderson?

2417 **Councilperson Miller-Anderson:** Typically, we don't cut it off until we announce
 2418 that we're going to do them. I mean, are we still... We can do whatever we want to do,
 2419 I would imagine but normally, we don't cut it off unless we're about to start it. That's
 2420 typically when we cut it off. When we start...

2421 **Chairperson Botel:** I just...

2422 **Councilperson Miller-Anderson:** ...reading it.

2423 **Chairperson Botel:** So, you're saying that we sh'., that we should have to vote to
 2424 cut it off? We don't usually...

2425 **Councilperson Miller-Anderson:** I'm saying...

2426 **Chairperson Botel:** ...do that.

2427 **Councilperson Miller-Anderson:** We., I'm saying that we don't normally cut
 2428 public., the acceptance of public comment cards off until we start reading them. So, if
 2429 we don't start reading them like last time...

2430 **Chairperson Botel:** [Inaudible]...

2431 **Councilperson Miller-Anderson:** ...we didn't read them 'til midnight.

2432 **Chairperson Botel:** Yeah.

2433 **Councilperson Miller-Anderson:** So, we didn't cut it off until midnight.

2434 **Chairperson Botel:** Okay. Well... Alright. Okay. Mr. McCoy.

2435 **Councilperson Miller-Anderson:** And then typically, we don't stop in the middle of
 2436 a, an item...

2437 **Chairperson Botel:** I just didn't want...

2438 **Councilperson Miller-Anderson:** ...to do public comment...

2439 **Chairperson Botel:** I didn't...

2440 **Councilperson Miller-Anderson:** ...either.

2441 **Chairperson Botel:** ...wanna go too far past the time and, and, and forget about it
2442 [chuckle], 'cause I've done that too. Thank you. Mr. McCoy.

2443 **Councilperson McCoy:** Thank you. Mr. Gagnon, so, the discussion regarding
2444 enacting zoning changes to, to make it consistent with the, the Comprehensive Plan. That
2445 has been a conversation that has been occurring at least for four years, correct? At least
2446 since 2017 I wanna say, right? At least internally.

2447 **Assistant Development Services Director Gagnon:** Yes, that's correct. But I also want
2448 to just clarify for the record that this Ordinance doesn't propose any amendments to the
2449 Comprehensive Plan. The amendments that are proposed within this Ordinance would
2450 be to create that Zoning District, and also amend the Zoning Map.

2451 **Councilperson McCoy:** Okay. Alright. So, I guess I was kind of uncertain as to, I
2452 guess, Councilman Pro Tem Lawson's concerns about rushing it, but perhaps, is there
2453 something that can be done in the interim between first and second reading, as far as
2454 providing some additional information? Because, you know, I didn't know that it was
2455 anything, I guess, left outstanding, but I know that there had been some conversations in
2456 at least... Yeah. I think I had at least heard about it, at le'.., I know I heard about it in 2017-
2457 2018. So, I didn't know it was such a.., something that we rushed to judgment and
2458 obviously the last year and a half, yeah, I do recall us having a conversation about having
2459 a workshop. But, I think it was kinda, in, in, in defense of the process, but like, you know,
2460 this has been discussed at length, at least in the Planning & Zoning Board. I think
2461 probably again tonight, 'cause we got some of those same comments.

2462 But, you know, I, I don't know. Unless there's something specific, Pro Tem, that
2463 you were looking for, I, I don't know what, what necessarily constitute' a rush, so.., 'cause
2464 I've heard about it at least for some time from now.

2465 **Chairperson Botel:** Thank you, Mr. McCoy. I haven't heard...

2466 **Chair Pro Tem Lawson:** Yeah. We, we've...

2467 **Chairperson Botel:** ...from Ms...

2468 **Chair Pro Tem Lawson:** ...had the discussion... I'm sorry, Madam Chair. Go ahead.

2469 **Chairperson Botel:** Ms. Lanier, did you wanna make a comment? I saw, I saw
2470 motion and I... Go ahead.

2471 **Councilperson Lanier:** I just wanted to make a comment that the, you know, the City
2472 is basically looking to, you know, have some uniformity and consistency, you know, with
2473 the Comp Plan. And, and, and it's completely within our purview to do that. And, it's not
2474 unusual, that inconsistencies exist in Comp Plans. Especially for this long. You know, it
2475 happens all the time. I just think that, you know, we need to be decision makers and we
2476 need to make a decision tonight. We have had this discussion at this level, we've had

2477 this discussion at the Planning & Zoning level, and I think that based on the work that's
2478 been presented tonight, in terms of.., especially the comments that Mr. Sirmons made in
2479 terms weighing out our risk. Either way, you know, people sue the City because they hit
2480 a pothole. So, it's not as if, you know, making a decision about this is going to stave off
2481 any litigation. Or not making the decision is not going to stave off any litigation. I just
2482 think that, at this point, given the fact that we have had this conversation, we've had to
2483 move it to a, a special meeting because people are interested in what is happening with
2484 this and tonight is the night that we make the decision, at least on the first reading. And
2485 any concerns or any issues that any other Councilpeople may have, can be addressed in
2486 between that time for our second reading.

2487 But I think tonight is the night that we need to make a decision about ensuring that
2488 there is no inconsistency, and there is no way to be able to, you know, look at this a
2489 different way. If we ensure that there is no inconsistency, then that's that. We can do
2490 that. And I just think we need to move forward to whatever issues that any other
2491 Councilpeople may have to be addressed in the interim.

2492 **Chairperson Botel:** Thank you, Ms. Lanier. Anyone else? Now, I have a question
2493 for Ms. Wynn. If we voted to read any comment that had not.., that had exceeded the
2494 one minute mark, if we read the comments, that the Clerk identifies as those that have
2495 exceeded the one minute, and we miss someone, what, what liability do we have?

2496 **City Attorney Wynn:** I don't believe that the Clerk will miss anyone. I think there
2497 were only about five, or so, of them., And...

2498 **Chairperson Botel:** [Stammer]...

2499 **City Attorney Wynn:** There is no liability.

2500 **Chairperson Botel:** Okay.

2501 **City Attorney Wynn:** I mean, that I can think of.

2502 **Chairperson Botel:** Good. Alright. Ms. Anthony, do you wanna read those now?

2503 **City Clerk Anthony:** Yes, Madam Chair. For the record, there are eleven public
2504 comments that exceeded the one-minute mark. Are we reading these for three minutes?

2505 **Chairperson Botel:** Yeah. I guess we're reading them for three minutes. That's
2506 our typical... Ms. Miller-Anderson.

2507 **Councilperson Miller-Anderson:** Is that what Mr. Lawson was asking for it to be
2508 read in its entirety?

2509 **Chair Pro Tem Lawson:** Yeah.

2510 **Councilperson Miller-Anderson:** Or...

2511 **Chair Pro Tem Lawson:** I was, I was allowing for the, the three-minute comment.
2512 Because I...

2513 **Councilperson Miller-Anderson:** [Inaudible]...

2514 **Chair Pro Tem Lawson:** ...know we limited it to one, but if it actually exceeds the three
2515 minutes, I would not actually be inclined to, to completing the entire, the entire email.

2516 **Councilperson Miller-Anderson:** Okay.

2517 **City Clerk Anthony:** Okay. So, we're reading the comment from
2518 varshk@gtlaw.com, who indicates:

2519 On behalf of my clients, I am attaching a letter in opposition to the Special
2520 Preservation Zoning District that is scheduled for consideration tonight by the City
2521 Council. Because the meeting is virtual, please read the letter into the record at the
2522 appropriate time of the Agenda of tonight's Council meeting. And it reads:

2523 City Council Members, 600 West Blue Heron Boulevard, Riviera Beach. Ms. Dwan
2524 Wynn, City Attorney, 600 West Blue Heron Boulevard, opposition to proposed Special
2525 Preservation Zoning District Ordinance.

2526 Dear Members of the City Council and City Attorney, I am writing on behalf of Halo
2527 Development, LLC, Fane Lozman and Renegade Trust II, the owners of real property
2528 located within the geographic area of the proposed Special Preservation Zoning District
2529 on this Ordinance 41-33. And more particularly described in Exhibit A to this letter.
2530 Together, Halo, Fane Lozman and [stammer] Renegade Trust II own approximately fifty-
2531 one acres of land which accounts for twenty percent or more of the area of the lots,
2532 including in such proposed change to the Special Preservation Zoning District, City of
2533 Riviera Beach Code, Section 31-5 (2019).

2534 Halo previously placed the City of Riviera Beach on notice and does so here again,
2535 that the adoption of the rezoning Ordinance, or Ordinances, that will modify current RS5
2536 zoning to special preservation will result in a regulatory taking. Members of Halo, as well
2537 as a majority of landowners whose properties will be affected by the rezoning, oppose the
2538 modification. Dating back to the original PIFFTIIFE [sp] No. 17,146 from which private
2539 landowners took ownership of the property at issue, there is a clear and unambiguous
2540 define of legal authority that these landowners have the right to bulkhead and fill the
2541 subject property without permission from the City of Riviera Beach. The City's own
2542 current zoning plans reflecting residential zoning, the City's plans to bulkhead the western
2543 most boundary of the area at issue, and the City's decision not to delineate the area as a
2544 wetland preservation area, all point to the City's admission that this area was free to be
2545 developed as originally contemplated in the original [inaudible].

2546 The passage of a Special Preservation Ordinance does not trump the right of these
2547 landowners to bulkhead and fill the subject property. The City will soon find itself with a
2548 bulkheaded and filled area, a special preservation land, and citizens will be on the hook

2549 to pay hundreds of millions of dollars in damages for its regulatory taking. Halo requests
2550 that the current...

2551 The next public comment comes from Charles Lewis, chucklewis39@hotmail.com.
2552 The short version.

2553 The vote of the City of Riviera Beach Planning & Zoning Board was unanimous, 7-
2554 0, in favor of the motion for a Special Preservation District. I urge you to approve the
2555 zoning for, in all caps, the new Special Preservation Zoning District, end all caps, to
2556 match the City's Comprehensive Plan. In all caps. [Audio skipped] version. Many people
2557 see nature as an expanse of greenery, a view of trees or view of water. The view of water
2558 is usually the surface that is less than one percent of a lake, river, ocean, or an inlet.
2559 Nature is much more than this. You have to go below the surface of water to see nature.
2560 However, even the surface of the water can bring a sense of wellbeing to urban dwellers.
2561 Notable architects, such as Le Corbusier and Frank Lloyd Wright were visionaries who
2562 argued that urban dwellers needed nature for inspiration. City and urban dwellers can
2563 live in [inaudible] towers but they need nature around these towers. This concept was
2564 lost on the eastside of North Ocean Drive where condominiums were placed elbow to
2565 elbow, in parentheses , in quotation marks, excuse me, with little space in between.
2566 Nature was treated as a set of discreet resources to be managed and used and not as a
2567 living system for wellbeing and inspiration. This lack of insight by past developers and
2568 politicians will not be corrected. But current politicians have a chance to protect the
2569 westside of North Ocean Drive before developers add to the overpopulation of a barrier
2570 island that lies in a hurricane lane six months of the year. The current pandemic adds a
2571 preview of the problem the world will have to deal with due to climate change and
2572 overpopulation and lack of sustainability.

2573 Riviera Beach politicians have the opportunity to correct a significant potential
2574 human problem that should have been dealt with decades ago. Do not waste this
2575 opportunity. Vote for, in all caps, the new Special Preservation Zoning District, end all
2576 caps, to match the City's Comprehensive Plan, in all caps.

2577 Charles Lewis, Ph.D., 1241 Pine Point Road, Singer Island.

2578 The next public comment is Matt Lynch, computerservice@att.net.

2579 Please approve the zoning the special preservation status to match the City's
2580 Comprehensive Plan. Additionally, the City hired Attorney Andy Bauman, who..., who, in
2581 a workshop meeting, addressed thee City Council and explained the Comprehensive
2582 Plan. It's of the highest level and it doesn't matter that the zoning doesn't match, it's just
2583 a technicality that should be done. He also stated if anything happens in this submerged
2584 land area that is contrary to the Comprehensive Plan, residents can sue and be
2585 reimbursed for their legal fees. So Council Members shouldn't worry about one or two
2586 submerged landowners possibly suing. Rather, the Council Members should be awa'...,
2587 be very aware, if anything happens contrary to the Comprehensive Plan, the thousands
2588 of residents on Singer Island are well organized and have the right to sue and have the

2589 promised legal help, if needed, from various turtle, manatee, fishing and environmental
2590 groups.

2591 Make sure you vote to keep this pristine area for generations. It effects the fishing
2592 that all residents use throughout the entire lagoon, as this area is documented breeding
2593 ground for many endangered species and the only area of high-density seagrass in the
2594 entire lagoon.

2595 Matt Lynch, 1111 Pine Point Road, Riviera Beach.

2596 Rex Cox, and the email address is rexryx@gmail.com.

2597 Dear City Council, the City Council should reject the zoning change for the Singer
2598 Island Lagoon property that City Staff recommends for approval. Instead, the City Council
2599 should change the Comprehensive Plan from special preservation to single-family
2600 residential. The City Council needs to consider that by changing the zoning for the lagoon
2601 property, the City will be put at risk of financial ruin when these property owners sue the
2602 City for taking away their development right. I have researched the matter and all the
2603 houses and condos on the north side of Singer Island were built on property that was sold
2604 by the State of Florida a hundred years ago. Almost all of the property sold by the state
2605 has already been developed and the remaining portion are owned by some very wealthy
2606 individuals. These individuals, led by Mr. Lozman, will fight this this out in court for years
2607 to come and can easily bankrupt the City with a huge judgement when they win. Their
2608 properties in the lagoon, if they are developed, will be worth in the hundreds of millions of
2609 dollars. And a court judgment for hundreds of millions of dollars, will be horrible for the
2610 westside residents. Just the attorney's fees that the City would have to pay will be in the
2611 millions of tens of millions of dollars. Why should the westside residents have to, to waste
2612 their tax dollars fighting this in court just because the home and condo owners around the
2613 Singer Island Lagoon do not want anyone to build in front of them. This country was built
2614 on private property rights, and to take away anyone's private property rights is a dumb
2615 decision to make.

2616 The City will be facing tougher times with the coronavirus, and we need all property
2617 tax dollars we can get. The lagoon properties need to be developed and by keeping the
2618 zoning residential instead of changing it to preservation, there will be hundreds of millions
2619 of dollars in new development. To throw that new property tax money away just because
2620 some [inaudible] Singer Island property owners want you to, is wrong and makes no
2621 sense. Please do not let us get into another legal battle with, with Lozman and his friend.
2622 That guy won two Supreme Court cases against us. We cannot afford to fight another
2623 legal fight that the City will surely lose.

2624 Thank you. Rex Cox.

2625 Matthew Kwiatkowski...

2626 **Chairperson Botel:** Kwiatkowski.

2627 **City Clerk Anthony:** ...email address... Email address mattkwit@gmail.com.

2628 Please pass the Special Preservation District to match the Comprehensive Plan,
2629 in all caps. My wife and I have been residents of Riviera Beach for just over five years,
2630 and during this time, we have come to realize that this City is unmatched with all its
2631 diversity and abundance of beauty. You as the Council have a duty, not only to Singer
2632 Island residents but to all those who reside in our City to protect its unique and
2633 irreplaceable environment. I know that City Council Members can come and go, and that
2634 it's not a lifetime appointment but, but your predecessors had the insight and fortitude to
2635 put in place this wonderful Comprehensive Plan that included creating this special
2636 preservation area.

2637 Personally, our decision to buy this property was heavily influenced by the
2638 protection provided by the Comprehensive Plan and I know from firsthand account that
2639 many other residents have said that this pristine area will be protected. This almost goes
2640 without saying, let alone debating within Council Chambers. I encourage you to stand
2641 your ground on the strong legal basis created by your predecessors. A single litigious
2642 would-be developer should not hold you hostage. We, in the City of Riviera Beach have
2643 a lot to lose if we allow for any development on the Lake Worth Lagoon. Degradation an
2644 ecology and natural beauty would bring tremendous loss to the entire City and to the
2645 value of our property. Be assured that we hold the City responsible if you allow for any
2646 [stammer] development now or in the future, in this sensitive area. The submerged lands
2647 in the area north of Pine Point Road and west of North Ocean Drive were purchased for
2648 very little money and it was understood that they had no development value. As it stands
2649 today, all the owners of these parcels between three and a half acres and some as large
2650 as twenty-three acres, in parentheses, pay around \$250 per parcel in taxes. I think that
2651 the City of.., I think that the City assigns this low valuation and low taxes that come with
2652 it in light of the lack of development possibility. There is considerable and tangible value
2653 to the City because of the preservation of the natural beauty and recreation opportunity
2654 afforded to all Riviera Beach residents.

2655 Thank you. Matthew Kwiatkowski, 1071 Pine Point Road, Riviera Beach.

2656 The next comment, Libby Ryan, email address libco129@att.net.

2657 My husband and I owned property on Singer Island since 2008. His father first
2658 bought a condominium in the City.., in 1978. It has been exciting to see the enthusiasm
2659 of Riviera Beach residents having a voice and continued development and beautification
2660 of the City. Many residents and visitors have commented how, how much nicer the City
2661 is then it was years ago. More than ever, it.., it's important to continue the improvement
2662 and preservation of all aspects of the City's footprint.

2663 The coastal ecosystem on Riviera Beach is important to the entire City for
2664 numerous reasons. First of all, coastal ecosystems are habitats that are spawning ground
2665 for many different species. They are also the home to numerous kinds of plants. Like
2666 any ecosystem, when one aspect is damaged, everything else is affected. Pollution of
2667 our coastal environment limits the ability for residents to use beaches for economic,
2668 recreational and aesthetic purposes. Pollution degrades and destroys the unique beach
2669 habitat used by animals and plants and can reduce existing property values and inhibit

2670 economic growth of the surrounding community. Any alternation of the water surrounding
2671 the City can also have a detrimental affect on Phil Foster Park, which was name in 2013
2672 as the best dive site in the world by Patti, Sports Diver Magazine and draws enthusiasts
2673 to frequent restaurants, gas stations and other businesses while they are in the City.

2674 We support this creation of the Special Preservation District to coincide with the
2675 City's Comprehensive Plan and ask the Council to vote in favor of this proposal. We also
2676 respectfully ask that this email be read into the record on June 17th meeting.

2677 Sincerely, Libby and Tony Ryan, 3000 North Ocean Drive, 41B, Riviera Beach.

2678 The next comment, Craig White, email address whitecraigm@gmail.com.

2679 We request the following message of support for the creation the Special
2680 Preservation District for the Lake Worth Lagoon be read into the record. We live in
2681 Connemara Condominium on Singer Island at 5420 North Ocean Drive in a unit that faces
2682 Lake Worth Lagoon. Thank you for removing the floating houseboat that was there. We
2683 were saddened every time we looked out our window and saw how it marred the natural
2684 beauty of the lagoon. We watched the sunset on the lagoon every evening, and especially
2685 enjoyed watching the migratory birds that make the lagoon their home during the winter.
2686 We strongly support the effort to prevent the presence of unsightly, ecologically damaging
2687 structures to ever be built on this naturally beautiful lagoon.

2688 Thank you. Craig and Rena White, 5420 North Ocean Drive, Unit 905, Singer
2689 Island.

2690 Next Peter Rosenfield, eter@prtinfo.co.uk.

2691 We visited Riviera Beach/Singer Island as vacationers more than ten years and
2692 love the lagoon/bay/ocean and everything the area offered. In 2017, we purchased a
2693 condo to reside and have a special place to visit for our family, for many years to come.
2694 We were very dismayed to hear about proposals to develop parts of the area and are very
2695 concerned that this will not just affect the natural beauty and marine life that habits the
2696 area, but long-term property values.

2697 Our family one hundred percent support the creation of the Special Preservation
2698 District to coincide with the City's Comprehensive Plan.

2699 Thank you, Peter and Amanda Rosenfield Family, 9D, 5550 North Ocean Drive,
2700 Riviera Beach. Sincerely, Peter Rosenfield.

2701 The next comment comes from Jamie Leeman, email address
2702 jamiel40@comcast.net.

2703 Dear City Council, when considering zoning changes to the Singer Island Lagoon,
2704 could you kindly consider the possible implementation of a City fish farm as noted in the
2705 link below. We need to help our community in meaningful, long-term ways.

2706 Website www.cityfarmfish.com. We are City Farm Fish. We are a highly motivated
2707 team looking to transform cities around the world with urban agriculture and [stammer]
2708 aquafonics. Over the past ten years we have been working in horticulture, engineering,
2709 architecture, law, business development, fundraising and marketing. It would be
2710 wonderful for our residents to have a more secure and sustainable food supply. I would
2711 even ask that Fane Lozman see if he can participate or contribute in some way to make
2712 it a win/win with, with his endeavors. Perhaps the..., perhaps the produce aspect of the
2713 City Fish Farm could be on the rooftop of floating homes. What's wrong with a charming
2714 [stammer]..., what wrong with a Sausalito, California look in the lagoon that at the same
2715 time supplies healthy food for distribution throughout the City? There's no reason that
2716 anyone in our City should go hungry. We can help ourselves if we focus. Often the same
2717 people who mention environmental aspects of development are the very same ones who
2718 are spewing toxins from their boat into the water and proudly telling their friends that they
2719 went diving at the rec site where a Rolls Royce has been dumped into the ocean off of
2720 Palm Beach. Website www.palmbeachdive.com [Audio Skipped], parts of metal in the
2721 water are good things there but somehow bad in other places. Seems like hypocr'..., it's
2722 hypocrisy. Just my two cents.

2723 And last, James Ryan, email address email address jdr@ryanlawgroup.net.

2724 Apparently, the City is being advised the law requires the City to rezone and take
2725 this private property. We all know the state and U.S. Constitutions require a payment
2726 when a taking occurs. When the City adopted the Future Land Use Plan, it did so with a
2727 savings clause, and it relied on that in court to avoid having to buy the land at that time.
2728 Can the City lawfully reject the county's plan and keep the underlying RS5 zoning? If not,
2729 can the City adopt this new zoning with another savings clause, or can it look to the county
2730 for indemnification? What steps has the City taken to determine what this will cost and
2731 how it will be paid for? Isn't it true this cost will have to be added to our tax bill?

2732 The City adopted Code Section 31-118 that sets forth a minimum lot size for this
2733 one hundred fifty-acre parcel. It required eight thousand square feet, except where any
2734 lagoon, et. cetera is filled after December 6, 1989. In this case, it requires a minimum dry
2735 lot size of one acre. Has the city evaluated how many one acre lots [inaudible] feasibly
2736 be developed along A1A and Pine Point Road and what the value of each one-acre
2737 waterfront lot would be? Simple math, for one hundred feet wide lot, shows that about
2738 seventy of these large waterfront lots could be developed. Because the land was sold by
2739 the state with right to fill and dredge, each, each of these large lots could offer shelter
2740 dockage with deep water ocean access. If so, an average value of \$6MM per lot would
2741 not be surprising. Factoring in that it might only cost a few hundred thousand dollars to
2742 bulkhead and fill each of these lots, the net value of each lot taken could be over
2743 \$5,600,000. Under this scenario, the cost of adopting this new zoning would approach
2744 \$400MM before interest, finance charges, legal fees and costs.

2745 On the other hand, if those lots were improved and the dredge rights were used to
2746 make the property suitable for ocean going boats, the tax base from those homes would
2747 be six or \$700MM. Can the City really afford to spend all of this money, take this property
2748 and to forego all this tax revenue those homes would generate? Does the City Council

2749 really think it is fair, just and wise to do this just to protect a view from the..., for the people
2750 that now live by the lagoon and who failed and refused to buy, buy it themselves?

2751 Adopting this new zoning would cost the City's taxpayers \$30MM pre year for the
2752 next twenty years. Almost all of this will be paid by property owners that do not have any
2753 view of the lagoon. How many of the City Council Members have asked their friends and
2754 families if they're cool with having their real estate tax bills go up by several hundred
2755 dollars per year for the...

2756 Madam Chair, that concludes public comments.

2757 **Chairperson Botel:** Thank you. Thank you, Madam Clerk. Any other comments
2758 from Council, or the Mayor?

2759 **Chair Pro Tem Lawson:** Yes, Madam Chair. Thank you so much.

2760 The..., Mr. Bauman, if you're still on the line?

2761 [Pause]

2762 **Mr. A. Bauman:** Yes, sir.

2763 **Chair Pro Tem Lawson:** Thank you, Mr. Bauman. There were a couple comments.
2764 We discussed takings but... There..., a couple comments where we discussed takings
2765 earlier, and in reference to the takings, there was one comment that actually specifically
2766 stood out, which was Attorney Barsh. I'm not sure if you heard that comment but he was
2767 discussing that, that I believe Halo had the right to develop their land and fill the bulkhead
2768 and the City should determine if the wetlands [stammer] where the wetlands actually are.
2769 Would you be able to comment or respond to those comments by that attorney?

2770 **Mr. A. Bauman:** Well, I think the comments there are Halo has no judicially
2771 determined right to bulkhead bill that preexists the Comp Plan. As far as I can tell, Halo,
2772 Renegade Trust, all of these entities, came along and bought this property with the
2773 Comprehensive Plan in place. Unlike, for example, Mr. Taylor, whose family owned the
2774 property in various stages of trust and what not, going back to the, goodness, I think like
2775 the, the '20's. So, I don't, I don't agree with that, that statement as a categorical statement
2776 by Mr. Barsh.

2777 The other, the other comment about delineating the wetlands, I'm not sure that the
2778 two are necessarily related at this point. There is a, there is a, a provision in the Comp
2779 Plan that deals with wetland mapping and what not that's not necessarily the same thing
2780 that we're talking about here today. Some of the state agencies do have mechanisms by
2781 which wetlands can be essentially formally delineated for purposes of, of permitting and
2782 wetland mapping. They knew the agencies actually made maps of wetlands over time.
2783 But of course, as, as you all know, wetlands, they change, they move, things, things
2784 change.

2785 Right now what the City requires is that they have a, a provision in there, in their
2786 code that says that you're not supposed to put things inside of a wetland. You're
2787 supposed to honor a wetland buffer. And now we're talking outside of this particular
2788 Ordinance. But, an applicant bears the burden of demonstrating that they need the City's
2789 code. If an applicant provides City Staff with information on a piece of property and all
2790 you have to do is look at a photograph and it's all mangrove, well mangroves grow in
2791 wetlands. That usually precipitates a comment back, 'Gee, this all looks like wetlands.
2792 Can you provide me something that shows why it's not?' Considering that, you know,
2793 things are there.

2794 But I'm not sure that this delineation of wetlands is the same subject that we're
2795 dealing with tonight. That may be dealing with a separate provision in the..., in the Comp
2796 Plan, and the code.

2797 **Chair Pro Tem Lawson:** Okay. Perfect. So, I guess, and Councilman McCoy made a
2798 comment in reference to saying that he heard about this about four years ago and being
2799 that I've been serving on this Council for fifteen months, my thought process is when this
2800 moratorium came, I requested that we have a special workshop to get all the information.
2801 We haven't heard from DEP, we haven't heard from the EPA, we haven't heard from Army
2802 Corp of Engineers. I would've requested a special preservation study be done during this
2803 timeframe. And these are things that I requested when we first asked for this moratorium
2804 twelve months ago. And the reason that I'm telling you that this rushed is because that
2805 information was not given to us, nor has that workshop been provided. We've heard from
2806 Mr. Bauman, and we've had this discussion with Mr. Gagnon but I wanna have enough
2807 information to protect and safeguard the City, and the report from Mr. Bauman is, is solid
2808 and strong. At the same time, I would love to have additional studies provided to protect
2809 us from any potential lawsuits, and that's why I would've requested to have these studies.
2810 And that's why I can't support the Ordinance. And also, I believe Councilwoman Lanier
2811 stated that there were inconsistencies, and there's always inconsistencies within this
2812 Comp Plan, and with the zoning, and I've addressed this Comprehensive Plan. I think
2813 we need to go ahead and take a hard look because we're addressing just one
2814 inconsistency when there's so many within our Comp Plan. And we have to really bring
2815 the total Comp Plan back to the table, to address all of the inconsistencies so that we
2816 don't put ourselves in this position again. Because, whether we're being sued by our
2817 residents or landowners, I don't want us to be put in that predicament to where we're
2818 jeopardizing any resident, or any taxpayer's dollars.

2819 So, I guess, the only concern that I have is that, I understand that we're having this
2820 discussion tonight and I'm very supportive of protecting our lands and protecting our
2821 wetland and protecting this lagoon. I am completely supportive of us putting these
2822 preservations and putting the special preservation in place, as long as we have other
2823 proper information, but I still don't believe we have it. And I would love to protect that
2824 lagoon in any way possible. But I would just need the studies for us to have to review
2825 and to safeguard so that five, ten, fifteen years down the line, if this goes up to the
2826 Supreme Court again, and a certain individual tries to sue the City for a third time, I don't
2827 wanna be the person that..., we lose for the third time against..., in the Supreme Court.

2828 So, right now, we need to take the proper steps of having all of the information.
2829 That's my concern. But guys, those are my comments.

2830 **Chairperson Botel:** Thank you, Mr. Lawson. Mr. McCoy.

2831 **Councilperson McCoy:** Thank you, Madam Chair. Mr. Lawson, I respectfully hear
2832 what you're saying but at what point do those regulatory agencies that you mentioned,
2833 have any jurisdiction on our local zoning code? Obviously, if they...

2834 **Chair Pro Tem Lawson:** No jurisdiction at all.

2835 **Councilperson McCoy:** Okay. But, specifically, when it comes to studies, I don't know
2836 that any study that they would do would be able to... I mean, obviously, you got DEP,
2837 Department of Environmental Protection, Army Corp of Engineers. I don't know if there's
2838 any others, but those are the main two that come to mind, but I don't know specifically
2839 they would be able to do to impact our local zoning reg'..., regulations. Or why would
2840 [inaudible] an impact? In fact, if you look at it like this, I think Mr. Bauman's hierarchy, or
2841 basically their matrix of..., or pecking order, if you will, but probably put DEP and Army
2842 Corp of Engineers above our Comprehensive Plan, so that, you know, if any regulations
2843 are not consistent with, with their regulations, then that would not even, in my opinion, be
2844 issued a permit.

2845 So, you know, I mean, I certainly respect your concerns but I, I, I don't know how
2846 that's germane to this subject.

2847 **Chair Pro Tem Lawson:** In reference... And if I can respond, Madam Chair?

2848 **Chairperson Botel:** Go ahead.

2849 **Chair Pro Tem Lawson:** They'd be providing and obtaining supportive documentation
2850 to protect the City for future lawsuits. And that would be additional information to Mr.
2851 Bauman, along with our studies from our DEP and EPA to allow for them to see that these
2852 are the studies that we've requested, that actually support this zoning Ordinance that we
2853 put in place.

2854 **Chairperson Botel:** Thank you, Mr. Lawson. Yeah. It's clear to me that you have
2855 made up your mind and you said so, so I think it's incumbent on us, unless there's some
2856 other comment. My last comment will be that, the math that I did, counts the ayes..., let's
2857 see, counts the nays in, in this..., against this Ordinance at 1.94 percent. Not even two
2858 percent of the people who responded are against this. And I think the will of the people
2859 has spoken and I'm ready for us to take a vote. Madam Clerk.

2860 **City Clerk Anthony:** Councilperson McCoy?

2861 **Councilperson McCoy:** Yes.

2862 **City Clerk Anthony:** Councilperson Miller-Anderson?

2863 **Councilperson Miller-Anderson:** No.

2864 **City Clerk Anthony:** Councilperson Lanier?

2865 **Councilperson Lanier:** Yes.

2866 **City Clerk Anthony:** Pro Tem Lawson?

2867 **Chair Pro Tem Lawson:** No.

2868 **City Clerk Anthony:** Chair Botel?

2869 **Chairperson Botel:** Yes.

2870 **City Clerk Anthony:** That motion is approved with Councilpersons Lawson and
2871 Miller-Anderson dissenting.

2872 **Chairperson Botel:** Thank you.

2873 **COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA SPEAKERS (Three**
2874 **Minute Limitation)**

2875 **Chairperson Botel:** We had no public comments but can we close public
2876 comments now and get that off the table?

2877 **City Clerk Anthony:** Madam Chair, we do have public comment at this time.

2878 **Chairperson Botel:** Oh. [Chuckle]. Alright. Let's hear the public comment.
2879 [Chuckle].

2880 **City Clerk Anthony:** Madam Chair, you would need to read that section into the
2881 record, please.

2882 **Chairperson Botel:** Oh, yes. I'm sorry.

2883 **Chairperson Botel:** **ANY MEMBER OF THE PUBLIC WISHING TO COMMENT**
2884 **PUBLICLY ON ANY MATTER, INCLUDING ITEMS ON THE AGENDA, SHALL**
2885 **SUBMIT THEIR COMMENTS BY EMAIL TO CITY CLERK CLAUDENE ANTHONY AT**
2886 **PUBLICCOMMENTS@RIVIERABEACH.ORG. THE EMAIL SHALL CONTAIN THE**
2887 **APPLICABLE AGENDA ITEM NUMBERS, ALONG WITH THE PRECISE WORDING**
2888 **TO BE READ INTO THE RECORD. EXPLICIT LANGUAGE WILL NOT BE READ.**
2889 **EMAILS WITHOUT APPLICABLE AGENDA ITEM NUMBERS WILL BE READ UNDER**
2890 **THE GENERAL PUBLIC COMMENT SECTION. BE ADVISED, PUBLIC COMMENTS**
2891 **WILL BE ACCEPTED FOR EACH APPLICABLE ITEM AND THE GENERAL PUBLIC**
2892 **COMMENT SECTION UNTIL CLOSURE IS ANNOUNCED BY THE CHAIRPERSON**
2893 **OR THE CITY CLERK.**

2894 **ALL EMAIL ADDRESSES AND SUBMITTED COMMENTS ARE AND WILL BE**
2895 **PUBLIC RECORDS. THE CITY CLERK OR DESIGNEE WILL READ PUBLIC**

2896 **COMMENTS INTO THE RECORD AT THE APPROPRIATE TIME FOR NO MORE**
2897 **THAN THREE MINUTES, UNLESS THE TIME LIMIT WAS REDUCED BY VOTE OF**
2898 **THE CITY COUNCIL BASED ON THE VOLUMINOUS NATURE OF THE NUMBER OF**
2899 **PUBLIC COMMENTS RECEIVED.**

2900 **IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE CITY CLERK'S OFFICE**
2901 **AT 561-845-4090 OR EMAIL CROBINSON@RIVIERABEACH.ORG.**

2902 **City Clerk Anthony:** Madam, the acceptance of public comments for the general
2903 public section of the Agenda is now closed. We have a comment from Susan Bennett,
2904 email address sbennett108@msn.com.

2905 Thank you to all who made the 4th of July, July'.., 4th of July fireworks display one
2906 of the best ever. The back-porch plan was a fantastic alternative and may be worthy of
2907 considering in future celebration planning.

2908 Susan Bennett.

2909 Madam Chair, that completes our public comments for the evening.

2910 **Chairperson Botel:** Thank you.

2911 **ITEMS TABLED**

2912 **REGULAR**

2913 **DISCUSSION BY CITY MANAGER**

2914 **Chairperson Botel:** Do we have any.., we don't have any... So, discussion by City
2915 Manager.

2916 **City Manager Evans:** Madam Chair, Members of the Board, I do not have nothing
2917 this evening.

2918 **Chairperson Botel:** Thank you.

2919 **DISCUSSION BY CITY ATTORNEY**

2920 **Chairperson Botel:** City Attorney.

2921 **City Attorney Wynn:** No comments. Thank you, Madam Chair.

2922 **Chairperson Botel:** Thank you.

2923 **CITY COUNCIL COMMITTEE REPORTS**

2924 **Chairperson Botel:** City Council committee reports. [Pause]. None? I have a
2925 brief one from the Tourism Committee and [stammer] if anybody else has them from
2926 those, those particular committees, we should take them up at this time. I've been

2927 working with Discover the Palm Beaches and we're becoming a partner in their partners
2928 in tourism project and we'll be doing some research, a bit of research so we have a better
2929 idea of what areas to target in our marketing. We've been reviewing the City's webpage
2930 to identify those hospitality businesses that are still active, to be sure that our webpage is
2931 correct.

2932 We closed the road, as many of you may know, at the Ocean Walk Mall to allow
2933 the restaurants to have more room for outside dining, and we're working with the CRA on
2934 getting tents for those restaurants so they can expand their outside dining, given the
2935 uptick in the COVID-19 cases. That's really important for us.

2936 With regard to the Marine Industry Committee, I've had several meetings with the
2937 core team and I planned a large meeting for about thirty marine industry leaders in Riviera
2938 Beach to discuss a variety of topics, including... Well, I won't go into those.

2939 Any other committee reports?

2940 **STATEMENTS BY THE MAYOR AND CITY COUNCIL**

2941 **Chairperson Botel:** Discussions by City Council and the Mayor, starting with the
2942 Mayor.

2943 **Mayor Felder:** No comments, Madam Chair.

2944 **Chairperson Botel:** Thank you. Mr. McCoy.

2945 **Councilperson McCoy:** No. I was going to defer until next week to bring up my
2946 committee report. So, I have nothing. Thank you.

2947 **Chairperson Botel:** Thank you. Mr. Lawson.

2948 **Chair Pro Tem Lawson:** Thank you, Madam Chair. I just wanted to let all our residents
2949 know that we're always just gonna be supportive of a process in place and there were
2950 certain things that were requested of, of Staff to complete for this Ordinance and during
2951 this moratorium, that I didn't see completed and that I would've been more comfortable
2952 with voting for yes, to move forward with this Ordinance, if they were completed. The
2953 studies that needed to be done, and certain information that I would've liked to hear from,
2954 I didn't actually receive it in time so that's why I wasn't supportive but I'm absolutely
2955 supportive in protecting our wetlands and protecting our lagoon. And so, I wanna make
2956 sure that our residents understand that I, I wanna protect all of the land in our community,
2957 but I wanna make the right decision. So, thank you, colleagues, and thank you for the
2958 meeting tonight.

2959 **Chairperson Botel:** Thank you, Mr. Lawson. Mr. Lawson, could I ask that you
2960 make a specific list of your requests so that Staff is un'..., understands exactly what it is
2961 your looking for before the next reading?

2962 **Chair Pro Tem Lawson:** I can actually do that right now if you, if you'd indulge me.

2963 **Chairperson Botel:** Well, I don't, I don't know that we have to necessarily take the
2964 time tonight but I'm sure that Staff would love to know specifically what it is you want. So,
2965 if you jus...

2966 **Chair Pro Tem Lawson:** I just don't think...

2967 **Chairperson Botel:** ...[inaudible]...

2968 **Chair Pro Tem Lawson:** ...I can give... I can't give direction outside of our meeting.
2969 That's the only issue that I have, Madam Chair. So I can send them an email but my
2970 request will not be allowed to be [inaudible] without actually doing it in a public meeting.

2971 **Chairperson Botel:** Well, go ahead and go ahead and let, let us hear what you
2972 want then.

2973 **Chair Pro Tem Lawson:** Oh, thank you, Madam Chair. My original request was to
2974 complete a workshop. I, I don't believe within the next two weeks we'll have the time to
2975 do a workshop, but I do think that we have on next week, a weekend workshop. I wasn't
2976 sure if this is an Item that would be able to be presented at that workshop, if we have
2977 space on the Agenda, Mr. Evans, to discuss this Item. Having studies completed by the
2978 EPA and DEP, and also Army Corp of Engineers to take a look at this parcel and to see
2979 what we're..., what we're actually trying to do with the changes to our zoning and our Comp
2980 Plan, and to make sure that we're not in violation of the taking, to get support for Mr.
2981 Bauman's process. And then also, Mr. Sirmns, I wanted to get him caught up on the, the
2982 process of what everything is done with this property. He's, he's pretty [inaudible] on
2983 everything that's happening but I'd love for his report because everything's been done
2984 with Mr. Gagnon over the last few..., two years on this parcel. So, I really wanted him to
2985 make sure that he was able to review and give a comprehensive report on everything as
2986 well.

2987 So, those are the four things that I would like to see.

2988 **Chairperson Botel:** Mr. Evans, are you clear on those?

2989 **City Manager Evans:** Yes, Madam Chair. I'll get with Staff first thing in the morning
2990 and we can see what we can do to facilitate the workshop discussion. Most likely, since
2991 we're in a digital world, I would recommend that we do..., look to have that workshop
2992 separate and apart from the discussion that we will be having with the Board on the 18th
2993 and 19th. So, I will send out a calendar invite and work with the Clerk's office to see if we
2994 can set an hour to two hours to have a report from Staff concerning the special
2995 preservation. I think there is also a possibility, and I'll get with Staff about maybe getting
2996 a survey. A survey may be easier to come by, that distinguishes the, the wetland areas...

2997 **Chairperson Botel:** [Inaudible].

2998 **City Manager Evans:** ...that can assist in accommodating and provide and
2999 additional clarity. But, I will meet with Staff fist thing in the morning and, and we'll start
3000 rolling on that.

3001 **Chairperson Botel:** Thank you. Ms. Miller-Anderson.

3002 **Chair Pro Tem Lawson:** And, Madam Chair, if we can... And, Madam Chair, if we can
 3003 get all of that information, then we can just put that into the doc and we could put this to
 3004 rest and we can get this Ordinance passed.

3005 **Chairperson Botel:** Right.

3006 **Chair Pro Tem Lawson:** It's just having as much supporting documentation as
 3007 possible, prior to approving it with the second reading.

3008 **Chairperson Botel:** Right. Ms. Miller-Anderson.

3009 **Chair Pro Tem Lawson:** Thank you, Madam Chair.

3010 **Chairperson Botel:** You're welcome.

3011 **Councilperson Miller-Anderson:** No. I don't have any comments. Thank you.

3012 **Chairperson Botel:** Ms. Lanier.

3013 **Councilperson Lanier:** No. I'll save my comments and committee reports for our full
 3014 Council meeting next week.

3015 **Chairperson Botel:** Okay. Okay. Thank you. Did I get the Mayor? I did.
 3016 [Chuckle]. [Inaudible] forget you, Mayor.

3017 I just wanted to also congratulate Staff on a wonderful.., I [inaudible] such great
 3018 comments about the 4th of July fireworks. They were just fabulous.

3019 I wanted to let my consit'.., all of our constituents know that we'll be meeting on
 3020 July 20th with representatives from the county, and other municipalities, to discuss derelict
 3021 boats and litter boards in the lagoon.

3022 If you want to signup for the next round of Palm Beach State College courses,
 3023 being delivered in Riviera Beach, please email Sam Brown at stbrown@rivierabeach.org
 3024 and he can get you the information about those courses.

3025 Please complete the Census. Mr. Lawson and I are in a competition and we do
 3026 not want to wear the other, the other town's and city's memorabilia, whatever you call it.
 3027 You know, stuff. T-shirts, whatever. We, we wanna win this. We ask you to please.., it
 3028 takes just a few minutes. It's very quick to do, it's completely confidential. Nobody
 3029 [stammer].., by law, nobody can get that information. So, it's confidential, it's easy to do,
 3030 you can do it online, you can do it on your phone, you can call in. And it will avoid having
 3031 somebody come to your house. We don't want somebody to come to your house now.
 3032 You wanna do it online. It's much easier. Please, please.

3033 Also, please vote by mail. It's so easy. I've done it for years and years and years,
3034 and if you do it, you don't have to truck yourself.., truck yourself out to the polls. It's just
3035 so much easier. So, I think that... Oh, oh. A reminder to Council that we have a COVID-
3036 19 briefing at 6:30 tomorrow. Yes, Mr. Evans? 6:30 tomorrow? Mr. Lawson.

3037 **Chair Pro Tem Lawson:** Madam Chair, have we had an idea from Mr. Evans when we'll
3038 be actually going back into the Chambers or meeting in the Marina, to do in-person
3039 comments.., in-person meetings again?

3040 **Chairperson Botel:** I don't think we... [Inaudible].

3041 **City Manager Evans:** [Inaudible].

3042 **Chair Pro Tem Lawson:** [Inaudible] the county hasn't stopped having in-person
3043 meetings. So...

3044 **City Manager Evans:** We're looking at possibly our, our first meeting, that we'll be
3045 doing in person is gonna be the workshop setting that we have established. And then
3046 possibly looking to go back into a physical meetings.., our, our first meeting in, in August.

3047 **Chair Pro Tem Lawson:** Okay. So, workshop next week in person and then potentially,
3048 Council meetings around the.., between the 5th or the.., the 5th or the 12th. Okay.

3049 **City Manager Evans:** Yeah.

3050 **Chair Pro Tem Lawson:** That's it. Thank you.

3051 **Chairperson Botel:** So, we got everything.

3052 **ADJOURNMENT**

3053 **Chairperson Botel:** Does somebody care to make a motion to adjourn?

3054 **Councilperson Lanier:** So moved.

3055 **Chairperson Botel:** All in favor?

3056 **Councilperson Lanier:** Aye.

3057 **Chairperson Botel:** Have a good evening. Have a good evening.

3058 [End of video]

3059

3060 **City Employees, Public Comment Speakers and Others**

3061 Susan Borraccio	3091 Ken Krogofski
3062 Rita Borraccio	3092 Ann Krogulski
3063 Elvira Borraccio	3093 John Kom
3064 Tim Clemens	3094 Hemit Napier
3065 Larry Clemens	3095 Dawn D'Auria
3066 Jeff Hammerer	3096 Fred Goldberg
3067 Nita Dry	3097 Kimberly LeCompte
3068 Todd Dry	3098 Frank Watson
3069 Sandra Dry	3099 Gary Kurzbard
3070 Brandon Dry	3100 Ben Allen
3071 Sterling Lee	3101 Jane Broyles/Smith
3072 Libby Ryan	3102 Roy Smith
3073 Tony Ryan	3103 Nina Aggarwal
3074 Thomas W. Mayer	3104 Gary Landowne
3075 Stephen Neidell	3105 Tom _____
3076 Joseph Badda	3106 Arlene Stroker
3077 Regina Badda	3107 Gilbert Stroker
3078 Randy Bradley	3108 Clara Cappiola
3079 Linda Link	3109 Pamela Poppos
3080 John F. Duvall	3110 Tara Hegarty
3081 Marie Sailor	3111 Rita Hill
3082 Michel Bosito	3112 Rachel Shalmon
3083 Marie Bosito	3113 Bahad [Inaudible]
3084 Merle Meidell	3114 Yarem Shalloman
3085 David Arnow	3115 Diane Riley
3086 Lee Innocenti	3116 Angela Domino
3087 Carol Bruce	3117 Craig White
3088 Thomas Bruce	3118 John Lidington
3089 Jolene Roberts	3119 Marybeth Lidington
3090 Nicholas Lawlor	3120 Dalia Taylor

3121 Elizabeth Diane Buhler
3122 Bonnie Wall
3123 Peter Rosenfield
3124 Amanda Rosenfield
3125 Mella Parks
3126 Michael Sedor
3127 Tillman Black
3128 Petra Neues, M.D.
3129 John Boyle
3130 Jeff Smith
3131 Norm Adams
3132 Carol Friedman
3133 Ralph Daniel Ra
3134 Renee Lynch
3135 Ashley Lynch
3136 Alissa Lynch.
3137 Mike Green
3138 James Green
3139 Judy Holly
3140 Dr. Eugene Holly
3161 Donna Pistockcaost?
3162 Honorable Carmen John Maffie
3163 Donna Maffie
3164 Amy Cramer
3165 Richard Barber, Esq.
3166 Farrah Tonnos
3167 Deberah Hall
3168 Ms. D. Hall
3169 Matt Lynch
3170 Kim Muncie
3171 Cynthia E. Johnson

3141 Nichole Prokopetz
3142 Michael Prokopetz
3143 Quentin Prokopetz
3144 Lexa Prokopetz
3145 Renee Delgado
3146 The Growth Project
3147 Dr. Paul Fotek
3148 Jose F. Valdivia, Jr.
3149 Mike Blasdell
3150 Steve Craig
3151 Lucia Seton
3152 Fred G. Wall
3153 Patty Pod
3154 Thomas Pod
3155 Mary Jane Eplee
3156 Jamie Lehman
3157 Nicholas Lama
3158 Lena Smith
3159 Sally O'Callaghan
3160 James Ryan, Esq.
3172 Monica Stein
3173 Fran Stein
3174 Alice Naegele
3175 Tim McGill
3176 Ben Smith
3177 Marian Smith
3178 F.M. Russo
3179 Jack A. Fairbrother
3180 Gail Brenner
3181 Yvonne Cruz
3182 Mattias Erikson

3183 Mellie Lewis	3214 Karen Gleason
3184 Maria Molano	3215 Deborah Kane
3185 Teofilo Lama	3216 James Gleason
3186 Gabriel Lama	3217 Jim Kane
3187 Gisela Riba Dispigno	3218 Matthew Kwiatkowski
3188 Guy Dispigno, Ph.D.	3219 Lisa Interlandi
3189 Lori Wasserstein	3220 Norma Leal
3190 John Miller	3221 Justine Greenwald
3191 Beth Brady	3222 Glenn Spiritis, Ph.D.
3192 Mary Lou Mason	3223 Jorge Leal
3193 Hillary Ward	3224 Bill Muchow
3194 Dr. Paul Ward	3225 Ilene GloInik
3195 Craig Komins	3226 Francine Kirk
3196 Lori McKee	3227 Roger Kirk
3197 Rita Hill	3228 Mary Lawrence
3198 Kyle Hauser	3229 Michael Melby
3199 Loretta Andrus	3230 Starr Downey
3200 James Green	3231 Michael Slozer
3201 Bill Doniger	3232 Mary Lawrence
3202 Cindy Green	3233 Ilene Dejong
3203 Yulia Pushkar	3234 Joan Willis
3204 Erica Wasserstein	3235 Beverly Cheeks Jewell
3205 Charles Lewis	3236 Mark Moore
3206 Lynn Tabernacki	3237 Patricia Downey
3207 Susan Troubetzkoy	3238 Patricia Papa
3208 Lexa Prokopetz	3239 Freddie T.Z.
3209 Tom Twyford	3240 Maureen Lynch
3210 Brian Wasserstein	3241 Judith Dynia
3211 Paul Katcher	3242 Larry Miller
3212 Connor McKee	3243 Lynda Williams
3213 Peggy Lindenborn	3244 Anne Craig

3245	Deb Meldahl	3254	Mary Lou Desmond
3246	Cathy Newman	3255	Renee Brown
3247	Theresa Thompson	3256	Karen Weatherall
3248	Susan Hoffman	3257	Marsha McIntyre
3249	Catherine Simmons	3258	Marianne Wiegand
3250	Lisa Canal	3259	J.B. Dixon
3251	Susan Robinson	3260	Rex Cox
3252	Chrissy Higgins	3261	Lynn Robertson
3253	Lynn Rutenberg		
3262	Development services Director Clarence Sirmons		
3263			Development Services Director Sirmons
3264	Assistant Development Services Director Jeff Gagnon		
3265			Assistant Development Services Director Gagnon
3266	Andrew Bauman, Esq.....		Mr. A. Bauman
3267	Assistant City Attorney Lina Busby		Assistant City Attorney Busby
3268	Susan Bennett		
3269	APPROVED:		
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3272			
3273			
3274	RONNIE L. FELDER		JULIA A. BOTEL, Ed.D
3275	MAYOR		CHAIRPERSON
3276			
3277	ATTEST:		
3278			
3279			
3280			
3281			
3282	CLAUDENE L. ANTHONY		DOUGLAS A. LAWSON
3283	CERTIFIED MUNICIPAL CLERK		CHAIR PRO TEM
3284	CITY CLERK		
3285			
3286			
3287			TRADRICK MCCOY
3288			COUNCILPERSON
3289			
3290			

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KASHAMBA MILLER-ANDERSON
COUNCILPERSON

SHIRLEY D. LANIER
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

T. MCCOY _____

K. MILLER-ANDERSON _____

S. LANIER _____

J. BOTEL _____

D. LAWSON _____

DATE APPROVED: DECEMBER 2, 2020