

CITY OF RIVIERA BEACH
REGULAR CITY COUNCIL MEETING
October 7, 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 SHIRLEY D. LANIER, DISTRICT 3	COUNCILPERSON LANIER
COUNCILPERSON KASHAMBA MILLER- ANDERSON	COUNCILPERSON MILLER-ANDERSON
	COUNCILPERSON DISTRICT 2
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 87

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
MINUTES OF THE CITY COUNCIL MEETING
HELD OCTOBER 7, 2020, 6:00 PM**

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

[Before meeting chatter]

[Gavel]

CALL TO ORDER

Chairperson Botel: I call to order the Regular Council meeting at the Marina Event Center, live and in person, of October 7th. The time is 6:10 p.m.

ROLL CALL

Chairperson Botel: Madam Clerk, please call the roll.

City Clerk Anthony: Mayor Ronnie Felder?

Mayor Felder: Here.

City Clerk Anthony: Chairperson Julia Botel?

Chairperson Botel: Here.

City Clerk Anthony: Chair Pro Tem Douglas Lawson?

Chair Pro Tem Lawson: Here.

City Clerk Anthony: Councilperson Tradrick McCoy?

Councilperson McCoy: Here.

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

Councilperson Miller-Anderson: Present.

City Clerk Anthony: City Manager Jonathan Evans?

City Manager Evans: Present.

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

30 **City Attorney Wynn:** Here.

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

32 **Chairperson Botel:** Thank you.

33 **INVOCATION**

34 **PLEDGE OF ALLEGIANCE**

35 **Chairperson Botel:** We'll have a moment of silence, followed by the Pledge of
36 Allegiance led by Chair Pro Tem Lawson.

37 [Moment of silence]

38 **Chair Pro Tem Lawson:** I pledge allegiance...

39 **All:** ...to the Flag of the United States of America, and to the Republic for which it
40 stands, one nation under God, indivisible with liberty and justice for all.

41 **Chairperson Botel:** Thank you.

42 **Chairperson Botel:** ANY PERSON WHO WOULD LIKE TO SPEAK ON AN
43 AGENDA ITEM PLEASE COMPLETE A PINK PUBLIC COMMENT CARD LOCATED
44 AT THE DESK OVER HERE, THE TABLE OVER HERE PRIOR TO THE ITEM BEING
45 TAKEN UP BY CITY COUNCIL FOR DISCUSSION. MEMBERS OF THE PUBLIC WILL
46 BE GIVEN A TOTAL OF THREE MINUTES TO SPEAK ON ALL ITEMS LISTED ON
47 THE CONSENT AGENDA AND THREE MINUTES TO SPEAK ON EACH REGULAR
48 ITEM. THE TIME LIMIT FOR PUBLIC COMMENTS MAY BE REDUCED BY A VOTE
49 OF THE CITY COUNCIL BASED ON THE VOLUMINOUS NATURE OF THE PUBLIC
50 COMMENT CARDS. IN NO EVENT WILL ANYONE BE ALLOWED TO SUBMIT A
51 COMMENT CARD TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS
52 READ OR THE ITEM IS CONSIDERED.

53 **AGENDA APPROVAL**

54 **ADDITIONS, DELETIONS, SUBSTITUTIONS**

55 **Chairperson Botel:** Do we have any additions, deletions or substitutions from the
56 Manager, the Mayor or Council?

57 **City Manager Evans:** None from Staff, Madam Chair.

58 **Chairperson Botel:** Thank you.

59 **DISCLOSURES**

60 **Chairperson Botel:** Do we have any disclosures by the Mayor or Council?
61 [Pause]. Thank you.

62 **ADOPTION OF AGENDA**

63 **Chairperson Botel:** Would someone care to make a motion to adopt the Agenda?

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

65 **Councilperson McCoy:** Second.

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

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

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

69 **Councilperson McCoy:** Yes.

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

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

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

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

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

75 **Chairperson Botel:** Yes.

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

77 **Chairperson Botel:** Thank you.

78 **CONSENT AGENDA**

79 **Chairperson Botel:** **ALL MATTERS LISTED UNDER THIS ITEM ARE**
80 **CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION.**
81 **THERE WILL BE NO SEPARATE DISCUSSION...**

82 **Councilperson Lanier:** Excuse me. Excuse me. I have been saying here for the roll,
83 and I've [stammer] the motion and I can't...

84 **Chairperson Botel:** Ms...

85 **Councilperson Lanier:** It's clear that no one is hearing me.

86 **Chairperson Botel:** I apologize, Councilwoman Lanier. We did not know you were
87 on the phone. Thank you for alerting us. Thank you. So, are we all aware now?

88 [Chuckles]

89 **Chairperson Botel:** Madam Clerk, would you let the record reflect that
90 Councilwoman Lanier is on the phone?

91 **City Clerk Anthony:** Yes, Madam Chair.

92 **Chairperson Botel:** ALL MATTERS LISTED UNDER THIS ITEM ARE
93 CONSIDERED TO...

94 **Chairperson Botel:** I thought there was, like, a voice coming out of [inaudible]...

95 [Chuckles]

96 **Chairperson Botel:** Sorry, sorry.

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

103 **MINUTES**

104 **RESOLUTIONS**

105 **3. RESOLUTION NUMBER 84-20 A RESOLUTION OF THE CITY COUNCIL OF**
106 **THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING**
107 **THE SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT**
108 **AGREEMENT WITH THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE**
109 **PROGRAM FOR \$50,000 TO ASSIST WITH FUNDING THE UPGRADES AND**
110 **RENOVATIONS TO MONROE HEIGHTS PARK FACILITY; AUTHORIZING THE CITY**
111 **MANAGER TO EXECUTE THE APPLICATION; AUTHORIZING THE MAYOR AND**
112 **CITY CLERK TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE**
113 **DATE.**

114 **RICHARD BLANKENSHIP, DIRECTOR OF PARKS & RECREATION, 561-845-4070**

115 **4. RESOLUTION NUMBER 85-20 A RESOLUTION OF THE CITY COUNCIL OF**
116 **THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING**
117 **THE SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT**
118 **AGREEMENT WITH THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE**
119 **PROGRAM FOR \$50,000 TO ASSIST WITH FUNDING THE UPGRADES AND**
120 **RENOVATIONS TO GOODMARK PARK FACILITY; AUTHORIZING THE CITY**
121 **MANAGER TO EXECUTE THE APPLICATION; AUTHORIZING THE MAYOR AND**
122 **CITY CLERK TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE**
123 **DATE.**

124 **RICHARD BLANKENSHIP, DIRECTOR OF PARKS & RECREATION, 561-845-4070**

125 **COMMUNITY BENEFITS**

126 **Chairperson Botel:** Would someone care to make a motion to adopt the Consent
127 Agenda?

128 **Councilperson McCoy:** Madam Chair, I wanna pull 1 and 2.

129 **Chairperson Botel:** Okay. Mr. McCoy requests that we pull Items No. 1 and 2.
130 Anything else? Anyone else? In that case, would someone care to make a motion to
131 adopt the Consent Agenda, minus Items 1 and 2 and leaving Items 3 and 4?

132 **Chair Pro Tem Lawson:** Motion to adopt Consent with amendments.

133 **Councilperson McCoy:** So moved. Second.

134 **Chairperson Botel:** Okay. Ma'...

135 **Councilperson McCoy:** Second.

136 **Chairperson Botel:** Madam Clerk.

137 **City Clerk Anthony:** Madam Chair, we do have public comments on the Consent
138 Agenda.

139 **Chairperson Botel:** Okay. We'll hear those first.

140 **City Clerk Anthony:** Fane Lozman and Lloyd Brown.

141 **Mr. F. Lozman:** Fane Lozman, Singer Island.

142 When you read the Consent Agenda, it's all matters listed under this Item are
143 considered to be routine. I don't think Item No. 1, 3 and 4 are routine. A routine Item is
144 adopting the written Minutes, it's doing a minor expenditure of City's funds, but \$50,000
145 for Item 3 is not routine. \$50,000 in Item 4 is not routine. Item No. 1, what's the dollar
146 value on that? So, they're taking Items that should be on the Regular Agenda and parking
147 them on the Consent Agenda. They're not Consent Agenda Items. If you go to other
148 municipalities, you would not see some of these Items on the Consent Agenda. And
149 we've talked about this over the years. Some people really get abusive because they put
150 twenty-five or thirty Items on the Consent Agenda with the idea to violate Florida's anti-
151 shush law. Because any, any Item that is significant, involving the expenditure of
152 taxpayers' funds, you have to give three minutes, but when you put multiple Items
153 expending taxpayers' funds, and you only get three minute for all the Items, you're
154 violating Florida's right to speak law. So whoever prepares this Agenda is violating
155 Florida's anti-shush law and really violating what the spirit of a Consent Agenda is all
156 about. If you have too many Items on the Agenda, then you have to have a second
157 meeting, or a third meeting but you don't bury stuff of significant consequence on the,
158 on the Consent Agenda.

159 And finally, even the settlement in my case, \$875,000, was buried on the Consent
160 Agenda. Those things are not Consent Agenda Items.

161 **City Clerk Anthony:** Lloyd Brown. Madam Chair, Members of the Board, and
162 speakers that will be coming to the podium, please make sure that you speak into the
163 microphone so that you may be heard.

164 **Mr. L. Brown:** Well, well I probably got confused... My name is Lloyd Brown... on
165 the Consent Agenda 'cause I didn't think..., that's what I put down, [inaudible] Park, and
166 what you're gonna do, I think it shoulda been done a long time ago 'cause..., like, I walked
167 over by Good' Park and I was showing the guy today, I said, 'Look at that park. No lights.'
168 You look at, you at..., I mean, it's, it's been a long time coming. I mean, now that you're
169 gonna do it, that's okay but, I mean, this shoulda been done way back. I mean, the court's
170 crackin'. And then, as far as individuals coming over there, you know, like..., they used to
171 have a building. They used to. And when you went to that building and..., both of these
172 parks, they had supervision. So, like, when a kid came over there, he didn't have to worry
173 about being bullied, he didn't have to worry about anybody messing with him, but you
174 don't, you don't really put much money into these parks as far as supervision. Because
175 I, I done been down by these parks and I done seen these kids get in fights and
176 arguments. So, if you're gonna put any money into it, then put it into somewhere where
177 you're gonna send somebody over there to supervise these parks during the weekend, if
178 you can't do it all during the week. 'Cause, I mean, I done seen things happen down
179 there. I done seen people get shot down there. I mean, my neighbor's son..., grandson,
180 was killed at Goodmark Park. And think quite other few people were killed at the other
181 park in Monroe Heights. But when I was coming up, they had supervision, and that never
182 happened. I never saw anybody... I saw a fight between t wo individuals, but other than
183 that, I never saw anything that went on. And I mean, for you to say you're gonna put
184 \$50,000...

185 And I don't know, Lozman may be right about what he's saying but I don't know
186 anything about that 'cause I'm not that deep into it, but all I know is, if you're gonna spend
187 the money into it, you need to put supervision over there too. At least once or twice a
188 week. Maybe Saturday or something. You know? And bring some kind of program for
189 these kids to do. We played horseshoes, we did all kinda stuff. We didn't have to go to
190 the gym, we went right to the park, which was right down the street from me 'cause I used
191 to cut the lights on when they cut 'em off. So I know. And a lot of my friends grew up at
192 the park, and they're not violent or nothing. But now that you're just gonna fix the park
193 with no supervision, you're gonna catch hell. You watch.

194 Thank you.

195 **Chairperson Botel:** Thank you, Mr. Brown.

196 **City Clerk Anthony:** Madam Chair, Members of the Board, that completes public
197 comment on Consent Agenda.

198 [Inaudible comments]

199 [Pause]

200 **City Clerk Anthony:** That completes public comment on the Consent Agenda.

201 **Chairperson Botel:** Oh. Thank you.

202 [Pause]

203 **City Clerk Anthony:** Are we ready for the vote, Madam Chair?

204 **Chairperson Botel:** Yeah. Are you ready with the timer and everything? You're
205 okay? Yes. Madam Clerk, please call the roll.

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

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

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

209 **Councilperson Lanier:** Yes.

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

211 **Councilperson McCoy:** Yes.

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

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

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

215 **Chairperson Botel:** Yes.

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

217 **END OF CONSENT AGENDA**

218 **1. Chairperson Botel:** Item No. 1, Madam Clerk.

219 **City Clerk Anthony:** **RESOLUTION NUMBER 67-20 A RESOLUTION OF THE**
220 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
221 **FLORIDA, APPROVING THE THIRD MODIFICATION TO THE LOAN AGREEMENT**
222 **BETWEEN THE CITY OF RIVIERA BEACH (THE "CITY") AND THE AGENCY FOR**
223 **CERTAIN IMPROVEMENTS TO THE RIVIERA BEACH OCEAN WALK (MALL) AND**
224 **PROVIDING AN EFFECTIVE DATE.**

225 **RANDY SHERMAN, DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES,**
226 **561-845-4040**

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

228 **Chairperson Botel:** Thank you. Do we have a second?

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

230 **Chairperson Botel:** Thank you. Do we have any public comments on this topic?

231 **Councilperson McCoy:** It was pulled from Consent..

232 **Chairperson Botel:** Madam Clerk, do we have any public comments on this topic?

233 **Councilperson McCoy:** It was pulled from Consent so there wouldn't be.

234 [Inaudible comment]

235 **Chairperson Botel:** It was pulled from Consent. Well, you're right. Thank you.
 236 Sorry. Do we have a presentation, Mr. Sherman?

237 **Finance and Administrative Services Director Sherman:** Yes. The Item that you
 238 have before you is Item No. 1, is the third amendment of the agreement between the City
 239 and the CRA for the funding to the Ocean Mall. As you recall, we've had a number of
 240 discussions during the budget process. The second modification to the agreement
 241 pushed the payback period for the CRA out to 2023, and what we have asked [stammer]
 242 and I understand the CRA Board approved, is to actually make the payments begin in
 243 2021.

244 So, the \$672,000 annual payments will begin in January of 2021, after the CRA
 245 receives their tax increments. And then they will start to reimburse the City at that point.
 246 And this is.., was contemplated as part of the final FY21 budget.

247 And I'll take any questions.

248 **Chairperson Botel:** Any questions for Mr. Sherman? Mr. McCoy.

249 **Councilperson McCoy:** Thank you, Madam Chair. Mr. Sherman, the \$672,000 annual
 250 installment payment, did that encompass any of the concessions that the CRA has been
 251 covering for the maintenance of the Uplands?

252 **Finance and Administrative Services Director Sherman:** No. This is strictly a
 253 payback the ten.., almost \$10.2MM, that the City loaned the CRA back in 2009.

254 **Councilperson McCoy:** Okay. So, Mr. Evans... I'm sorry. Mr. Sherman, when was
 255 the second amendment done?

256 **Finance and Administrative Services Director Sherman:** I'd say it was twenty'...

257 **Councilperson McCoy:** '16.

258 **Finance and Administrative Services Director Sherman:** '16. That sounds right.
259 Yeah.

260 **Councilperson McCoy:** Okay. Is there any particular reason why we're calling forth
261 debt early? At this point? Other than the City being financially strapped?

262 **Finance and Administrative Services Director Sherman:** No. The, the issue that we
263 were looking at was..., it was our casualty and general liability policy was going up.
264 Normally, that goes up two to three percent. This year it went up, I believe it was, like,
265 fifteen or sixteen percent. So, we were looking to fill certain budgetary holes. And
266 obviously this is one that the City..., when the City was flush with cash, we were willing to
267 push it out, and at this point, we were looking to get some assistance back from, you
268 know, the CRA.

269 It came to light more so when the CRA was refinancing their old debt with BB&T.
270 What that did is that freed up additional cashflow for the CRA. As you know, the City had
271 to consent to those agreements and that was part of the discussion that we had with the
272 then Interim CRA Director.

273 **Councilperson McCoy:** Thank you. Mr. Sherman, that actually was exactly where I
274 was going because this was obviously contemplated when we had the previous Interim,
275 it's gonna be funny to say this..., our previous Interim CRA Director Evans, emphasis on
276 Scott Evans. However, I just don't think it's ideal time to do this simply because we have
277 our current Interim Director, Jonathan Evans, which is here on an Interim..., Interim basis,
278 and then, I imagine probably before the year's out, we'll have another, hopefully,
279 permanent CRA Director. And, you know, you spoke of the potential situation that the
280 City was in with the increases. We're starting off a new CRA Executive Director.
281 Basically, with removing \$700,000 of working capital which would've went to
282 neighborhood improvements, CRA operations, and I would've rather that that decision be
283 deferred to the incoming CRA Director. And I've said this at the CRA meeting, and I
284 renew my opposition to it again, that I don't think that this is ideal because we are in a
285 situation where one person, being Mr. Jonathan Evans wearing the hat as the CRA
286 Interim Executive Director and the CR'..., and the City Manager, both as directing and
287 driving this decision when, you know, this is just a temporary spot, you know, that he's
288 occup'..., occupying. And I would've not want our CRA Director to start when we've
289 already created a budget, we've already established a number of FTE's, we've already
290 established the amount of working capital in the budget that the CRA has to operate. And
291 it just seems to me that we originally agreed to start collecting the money in 2023, and
292 then now we're calling the debt early in two years, and that kinda really starts off our new
293 CRA Director behind the 8 ball. And again, I renew my position on record that I'm not in
294 support of it.

295 Thank you...

296 **Chairperson Botel:** Thank you...

297 **Councilperson McCoy:** ...Madam Chair.

298 **Chairperson Botel:** ...Mr. McCoy. Any other questions or comments? Madam
 299 Clerk.

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

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

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

303 **Councilperson Lanier:** Yes.

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

305 **Councilperson McCoy:** No.

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

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

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

309 **Chairperson Botel:** Yes.

310 **City Clerk Anthony:** That motion is approved with Councilperson McCoy
 311 dissenting.

312 **Chairperson Botel:** Thank you.

313 **2. Chairperson Botel:** Item No. 2.

314 **City Clerk Anthony:** **RESOLUTION NUMBER 83-20 A RESOLUTION OF THE**
 315 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
 316 **FLORIDA, AWARDED A CONTRACT TO GOVERNMENT SERVICES GROUP, INC.**
 317 **FOR A FIRE ASSESSMENT FEE STUDY IN AN AMOUNT NOT TO EXCEED \$50,000**
 318 **AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAME; AND**
 319 **PROVIDING AN EFFECTIVE DATE.**

320 **RANDY SHERMAN, DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES,**
 321 **561-845-4040**

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

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

324 **Chairperson Botel:** Thank you. Mr. Sherman?

325 **Finance and Administrative Services Director Sherman:** Yes. Again, Item No. 2 is
 326 requesting approval to enter into a contract to undergo the fire assessment fee study. We
 327 first had a conversation about this last December. The Fire Department made a very

328 compelling argument for, for additional resources to fund operations and capital. We've
329 had additional conversations during the, the budget process and it was agreed upon that
330 we would go out and have the solicitation. That has been done. Procurement has done
331 that, and the recommendation is before you for approval.

332 **Chairperson Botel:** Any questions? Mr. McCoy, you're recognized.

333 **Councilperson McCoy:** Thank you, Madam Chair. Mr. Sherman, I know this may be
334 a difficult question but what are we expecting from the fire assessment, other than them
335 telling us that it's a good idea for us to go out and implement an assessment? Like,
336 obviously, we know that this an avenue to relieve the City's budget from the amount of ad
337 valorem tax revenue that goes into the Fire Department, but realistically, is there some
338 end goal in mind? Are we looking to alleviate twenty percent of what the Fire budget
339 relies on the City budget for? Or the City ad valorem tax dollars? What's the Finance
340 Director's position?

341 **Finance and Administrative Services Director Sherman:** Yeah. I, I don't t think, as
342 far as the study, they're gonna opine on whether it's a good idea or a bad idea. They will
343 come back...

344 **Councilperson McCoy:** Right.

345 **Finance and Administrative Services Director Sherman:** ...with a methodology for
346 the Board to consider as far as developing the assessment fee. And then, depending on
347 what your ultimate goals are, how much you're looking to generate, the assessment fee
348 can, you know, go up or down. Now again, it does not cover any of the EMS services. It
349 only covers the Fire, you know, portion of operations. But again, it can go up to a
350 [inaudible], it could come up to hundred percent of those costs or any percentage in
351 between.

352 What we originally talked about, I guess I shouldn't use the word originally, what
353 we talked about, back in August during the budget session, was maybe targeting around
354 two and a half million dollars. That would allow us to cover the capital costs, for the fire
355 stations that we're looking for, allow us to go out and borrow against the fire assessment
356 fee, and then provide, you know, in the, in the range of maybe a million dollars or so to
357 go into operations. Within the Fiscal '21 budget, we included three firefighters, to be paid
358 out of the fire assessment fee, so the Chief can only hire those if the fee is adopted. And
359 the EMS captain, as well.

360 So that's all contingent on the fire fee. If the fire fee is never adopted, then those
361 positions will never, obviously, be filled.

362 So again, their real goal is to go out, assess the call data provided by the Fire
363 Department, assess the cost of, of, you know, the performance of the Fire Department
364 and then come bring back to you a methodology that, you know, they [stammer] feel is
365 fair and equitable.

366 **City Manager Evans:** Madam...

367 **Councilperson McCoy:** Follow up.

368 **Chairperson Botel:** Go ahead.

369 **Councilperson McCoy:** Mr. Sherman, the assessment, or the study, or their analysis,
370 is this gonna be based on a point in time, or are they gonna go with historical information?
371 Because that seems pretty aggressive if you're suggesting the 2021 budget is gonna
372 encompass four new positions, based on this assessment. So, are we gonna start that
373 at, I guess the execution of this contract based on the, the calls for service and, you
374 know, at that point or are we going back to historical data?

375 **Finance and Administrative Services Director Sherman:** No. It'll be, it'll be historical
376 data that they'll look at. And, from my understanding in talking to them is they believe
377 that, get the approval tonight that they can have something back to the Board in early
378 2021, January or early February for the first presentation and discussion, and then
379 obviously, you know, there probably will be a, a couple [inaudible] on, on the final
380 presentation. If we follow with the process, and, you know, this could have its public
381 hearings probably sometime in March or April for approval.

382 **City Manager Evans:** Madam Chair, if, if I, if I may?

383 **Chairperson Botel:** Yes.

384 **City Manager Evans:** With regards to the fire assessment, 'cause this is a process I
385 have gone through. The statute requires you to do an analysis to ensure that it is..., that
386 the individuals that are being assessed are deriving an actual benefit associated with the
387 assessment. So, in order to move forward with this, we have to go through the analysis.
388 By going through the analysis, it does not obligate the Board to effectively adopt the fire
389 assessment. It will come back to you and you will have an opportunity to have further
390 conversations with regards to what you all wish to do. Whether you wish to adopt it, if
391 you liked the va'..., you know, certain variations of the program. You may want to adopt
392 just an availability fee, or you would like to have a, a tiered system. All that is gonna be
393 provided. What they look at is..., an economist actually extracts the portion of the budget
394 that's associated with the provision of fire service 'cause you can't assess for EMS, and
395 then they look at the historical run data and say, 'How much of your total overall fifteen,
396 \$16MM budget is associated with fire apparatus and the provision of providing service?'

397 And so, when I did this in another community, we end up finding that roughly about
398 thirty to forty-five percent of the monies that were budgeted were associated with the
399 provision of fire service. The other was associated with medical, and you couldn't assess
400 for that. If we don't go through the study process, you leave yourself vulnerable to legal
401 challenges. And there was another community in South Florida that basically had their
402 revenue held up for at least three years as there was a challenge associated with it.

403 To Mr. Sherman's point, one of the things we would go to..., we would recommend
404 going forward with also, would be a bond validation whereby the City would file a suit
405 against itself to make sure that it effectively..., and get a..., an order by a judge that we

406 effectively followed the appropriate process so we can bond against it and no one can
407 challenge the process and the methodology in which we develop.

408 So, tonight is just the study phase. This will come back to you in multiple iterations.
409 In my past experience, we've also incorporated a lot of transparency where the residents
410 can go in there and put in their address and see exactly what they would pay and what
411 their neighbors would pay, et. cetera. This is something that you can effectively look to
412 adopt this year, or you can defer it to put it on the tax roll in subsequent years. So, there's
413 a lot of flexibility associated with the process, but the study and the analysis is just a first
414 phase.

415 **Councilperson McCoy:** Follow up.

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

417 **Councilperson McCoy:** Thank you, Mr. Evans. I actually was..., you..., guess you
418 interrupted my cross examination. I was trying to get there but...

419 **City Manager Evans:** [Chuckle].

420 **Councilperson McCoy:** ...you, you kinda already beat me to it. So, you know, reading
421 this agreement, right, I particularly don't have a problem with it but this requires
422 codification by way of an Ordinance, which this becomes two readings, this becomes
423 codified in Municode. If that is the case, I would only support this Item if it's going to help
424 maintain our current level of fire services. And what I mean by that, it's been stated before
425 that, you know, Mr. Evans I think said a few times during our budget process that Public
426 Safety is seventy-eight percent of our ad valorem revenue. I would only support a fire
427 assessment, because this is gonna be codified in an Ordinance which potentially means
428 this could be in perpetuity for years and years to come, and it's based on..., it's gonna be
429 assessed on when you pay your taxes. And I would only support this simultaneously with
430 the Charter provision that the Fire Department is chartered county because I would hate,
431 Members of the Board and also of this community, that we levy a tax, an additional fire
432 tax, and we find ourselves five years, seven years down the line in a situation where the
433 conversation comes up about outsourcing our Fire Department services. I will not support
434 that now, and I won't do it in seven years, whether I'm here or not. But I would only
435 support this Item, when it comes back, and I think the schedules shows tentatively one of
436 the schedules shows, the deliverable Ordinance between February and June of 2021,
437 that there is a simultaneous Charter agreement to make the Fire Department, as well as
438 the Police Department, a chartered department. Because I would hate to start this
439 conversation and, you know, God knows what the economy brings in seven years.

440 So, I'll support the study now, but I just wanted to establish my impetus for
441 suggesting, you know, the..., or asking the questions of why we're, we're doing this.

442 Thank you, Madam Chair.

443 **Chairperson Botel:** Thank you. Any...

444 **City Manager Evans:** And, Madam Chair?

445 **Chairperson Botel:** ...other questions?

446 **City Manager Evans:** Real briefly.

447 **Chairperson Botel:** Yes.

448 **City Manager Evans:** To those points. I, I think it is important that we look at our
449 Public Safety Departments to include our Utility operations as Charter departments but I
450 think that's something that you can pose to the voters as part of an initiative that this
451 Council puts forward to establish your Public Safety, as well as your Utility operations, as
452 chartered departments that the only way those departments would effectively ever go
453 away, is the voters would have to make the decision. So it takes it out of the hands of
454 any elected body or an administrator, or what have you.

455 As it relates to the assessment, there would be a mechanism in the Ordinance
456 that, through your annual budget appropriation, you would decide the amount that's
457 assessed. So it, it's paramount to putting a spigot in the wall, and then you get to turn on
458 how much water pressure [audio skipped], if not, so you can actually say that this year,
459 you're gonna levy this amount, next year you're not gonna levy anything, the following
460 year... So, you have total flexibility with regards to that. Now, if we bond against it,
461 obviously there's a minimum amount that we need to be able to collect for the purposes
462 of a bond issuance. But to Mr. Sherman's point, if we are able to move forward with
463 collecting roughly about \$2.5MM, we believe that we can actually move forward with the
464 capital construction of all four municipal fire stations concurrently, as well as bringing
465 additional Public Safety personnel online. And, what I mean Public Safety, it's fire
466 because the monies can only be utilized exclusively for the provision of fire service. It
467 can't be utilized for any other municipal operation.

468 **Chairperson Botel:** Thank you. Any other comments or questions?

469 **Councilperson McCoy:** That's it for that, Madam Chair, but I do wanna respond to Mr.
470 Evans if I can.

471 **Chairperson Botel:** Go ahead.

472 **Councilperson McCoy:** So Mr. Evans, I think that's a great idea. And while we're in
473 the month of October, I wanna know if you think it's ideal, obviously with, with this in mind
474 and obviously we had the other issue in the budget that came up, of the percentage that
475 we have to set aside and not..., the state called it the CAT fund, we call it our disaster
476 fund.

477 **City Manager Evans:** Major disaster fund.

478 **Councilperson McCoy:** If we can convene a, not a Charter Review Committee,
479 because we know that that's gonna be extensive, but a, a special meeting for us to decide
480 on whether or not we wanna introduce ballot initiatives for the March 2021 election. And

481 I would obviously like to see the Public Safety aspect of..., obviously, we can explore the
482 Utility District, and certainly we can remove that, I think, that restrictive provision that
483 requires us to put it at four percent?

484 **Finance and Administrative Services Director Sherman:** One...

485 **City Manager Evans:** One..., 1.5 percent.

486 **Councilperson McCoy:** How much?

487 **City Manager Evans:** 1.5 percent.

488 **Councilperson McCoy:** Yeah. The..., yeah. I would like to see that because I'm just
489 thinking that maybe the Clerk would know. I think generally qualifying in somewhere
490 around first or second week of December.

491 **City Clerk Anthony:** The second Tuesday in December.

492 **Councilperson McCoy:** Yeah. So, you know, that is a action that we would have to
493 take, Members, as a body, to put forth valid initiatives on two readings. So, Mr. Evans, I
494 guess that would happen..., happen sooner than later, if we're gonna have two readings
495 to explore those Items. So, you know, that's what I would like to see simultaneously,
496 'cause I support the study.

497 Thank you, Madam Chair.

498 **City Manager Evans:** Absolutely.

499 **Chairperson Botel:** Thank you. Anything else? [Pause]. Madam Clerk.

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

501 **Councilperson McCoy:** Yes.

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

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

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

505 **Councilperson Lanier:** Yes.

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

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

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

509 **Chairperson Botel:** Yes.

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

511 **Finance and Administrative Services Director Sherman:** Thank you.

512 **Chairperson Botel:** Thank you, Mr. Sherman.

513 **UNFINISHED BUSINESS**

514 **Chairperson Botel:** Unfinished business.

515 **5. Chairperson Botel: Item No. 5.**

516 **City Clerk Anthony:** RESOLUTION NUMBER 70-20 A RESOLUTION OF THE
517 CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,
518 FLORIDA, APPROVING AN APPLICATION (SP-19-27) FROM BLUE LAGOON
519 PLAZA, LLC. REQUESTING SITE PLAN APPROVAL TO CONSTRUCT A NEW
520 COMMERCIAL BUILDING, APPROXIMATELY 3,840 SQUARE FEET IN AREA, ON
521 APPROXIMATELY 0.41 ACRE OF VACANT LAND, LOCATED AT 200 WEST BLUE
522 HERON BOULEVARD, NORTHWEST OF, AND ADJACENT TO, THE INTERSECTION
523 OF WEST BLUE HERON BOULEVARD AND AVENUE 'F', IDENTIFIED BY PARCEL
524 CONTROL NUMBER 56-43-42-28-04-006-0220, HAVING A DOWNTOWN MIXED USE
525 FUTURE LAND USE DESIGNATION AND A DOWNTOWN GENERAL (DG) ZONING
526 DESIGNATION; PROVIDING FOR CONDITIONS OF APPROVAL; AND PROVIDING
527 FOR AN EFFECTIVE DATE.

528 **CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060**

529 **City Clerk Anthony:** Madam Chair, Members of the Board, we do have public
530 comment on this Item. The acceptance of public comment on this Item is now closed.

531 **Chairperson Botel:** Thank you.

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

533 **Councilperson McCoy:** So moved.

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

535 **Chairperson Botel:** Thank you. Public comments, Madam Clerk.

536 **City Clerk Anthony:** Lloyd...

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

538 **City Clerk Anthony:** ...Brown...

539 **Councilperson Miller-Anderson:** Madam Chair? Just, I mean, clearly we can do
540 it, however, normally...

541 **Mr. L. Brown:** [Inaudible]...

542 **Councilperson Miller-Anderson:** ...I think before we went to virtual, we always did
543 the presentation first and then the public comments came, so that the public had an
544 opportunity to hear the Item. I know we kinda changed it during virtual because...

545 **Chairperson Botel:** Right.

546 **Councilperson Miller-Anderson:** ...[inaudible] ahead of time so that would not
547 have provided that opportunity. But typically, we let the presentation go first so they can
548 have context.

549 **Chairperson Botel:** Mr. Brown. Mr. Brown, we're gonna have the presentation
550 first, if that's alright with you.

551 **Mr. L. Brown:** Okay.

552 **Chairperson Botel:** Thank you.

553 **Councilperson Miller-Anderson:** Thank you, Madam Chair.

554 **Chairperson Botel:** How many public comment cards do we have, just...

555 **City Clerk Anthony:** Madam Chair, Members of the Board, we have one public
556 comment card.

557 **Chairperson Botel:** One. Okay. Mr. Sirmons.

558 **Development Services Director Sirmons:** Hello. Good evening, Madam Chair,
559 Members of the Council.

560 [Inaudible discussion]

561 **Development Services Director Sirmons:** This is an Item that I'm sure you are
562 familiar. We've heard this at a previous meeting and there was some [inaudible] about
563 voting on it related to the, the CRA in relationship with the [inaudible].

564 **Councilperson Miller-Anderson:** Could...

565 **Councilperson McCoy:** Speak into the mic.

566 **Councilperson Miller-Anderson:** Madam Chair, can he pull his microphone up?

567 **Chairperson Botel:** If you don't mind... Yeah. Thank you.

568 **Councilperson Miller-Anderson:** Pull it closer.

569 **Chairperson Botel:** Yeah.

570 **Development Services Director Sirmons:** Apologies. This is a familiar Item. This
571 was heard at a previous Council meeting. There was some questions for the CRA related
572 to the project and their, their transition of the property ownership. And, I believe since
573 then, the information has been provided to the Board related to that. However, I will go
574 through the Site Plan.

575 The location of it is indicated by [inaudible]. The slide here, you can see the
576 renderings of the elevations of the proposed development. You can see the elevation
577 plans of the proposed development on this slide. The east and north elevations on this
578 slide. And the proposed Site Plan for development here.

579 The proposed uses are restaurant, as well as two [inaudible] office spaces, with a
580 building square footage of 3,840 square feet. On the slide here, you can see the
581 Landscape Plan for the proposed project. And these are the standard Staff
582 recommendations, which have been attached to this Resolution. The two year
583 landscaping performance bond. Construction [inaudible] this must be initiated within
584 eighteen months of this Resolution passing. The..., any future Staff amendments to this
585 Plan can be no greater than five percent of this Plan if it's approved today; development
586 must receive final Certificate of Occupancy within five years of its approval; advertising of
587 the property must state that it's located in Riviera Beach. If this Resolution is approved,
588 it shall [stammer] supersede any previous Site Plan approvals for this Item. The east and
589 west elevations must be consistent with the, the other two. And then, prior iss'.., to the
590 issuance of building permits, the issuance of plat applications, replat of preexisting lots of
591 record must be submitted to the City.

592 And that completes our presentation.

593 **Chairperson Botel:** Thank you. Any questions? Mr. McCoy, you're recognized.

594 **Councilperson McCoy:** Thank you, Madam Chair. So, Mr. Sirmons, that one condition
595 that I guess calls for discussion between the Members regarding the IP surveillance was
596 removed?

597 **Development Services Director Sirmons:** Yes, it was.

598 **Councilperson McCoy:** Okay. And that's the only change?

599 **Development Services Director Sirmons:** Correct.

600 **Councilperson McCoy:** Okay. Thank you.

601 **Chairperson Botel:** Thank you. Any other comments? [Pause]. Madam Clerk,
602 we'll hear that public comment now.

603 **City Clerk Anthony:** Lloyd Brown.

604 **Mr. L. Brown:** How ya doin'? I know you're all tired of me, but my name's Lloyd
605 Brown.

606 I just wanna get my bearings right. And I hope somebody could just say something
607 about it. Okay. F Avenue, isn't that on the eastside of the tracks, or is on the westside?
608 Because, what I'm thinking, I heard them talk a while back about putting something in
609 Monroe Heights and closing the canal down. That's not there?

610 Well anyway, I got something to say about everything. Let me tell you something,
611 the only thing I can see is this, whenever you put these developments and you do these
612 things, there's a lotta individuals out there that I know of in Riviera Beach that don't have
613 jobs. And they..., they're felons. And now they can vote now. So, I'm telling you, if you
614 don't, you don't start getting jobs and these felons, you know, they' felons so they know
615 how to do felonies, so if you don't start gettin' these jobs for them in these different places
616 that you're building... 'Cause I can ride around right now, and I can show you different
617 areas, and I can take pictures of the people who are working over here, who' cuttin' the
618 lawns over here and everything else. You're gonna have to give these jobs to people
619 who live here, even if you do develop these places. It's not right for somebody to come
620 in who live' next door to you and he's not even from here, and he has a job and you got
621 four kids, that don't have a job but they're getting in trouble every day because they don't
622 have a job. And then, you're saying, 'Well, we're, we're bringing jobs here.' That's all
623 they hear politicians say. Especially the black politicians.

624 But, I mean, it's like you're building these places in Riviera Beach and there's no
625 jobs for the people who live here. I can take you through Riviera Beach and show you
626 different develop'..., the different buildings that they built, and these buildings were built
627 by somebody else. And, I mean, these felons still hanging on the corners. And then
628 these young guys, they're learning what the felons know, just like prison. So, I mean, just
629 because you give a felon a right to vote, give him a right, you know... And somebody
630 gonna say, 'Well, since you got the right to vote, we're gonna represent you too.' Don't
631 just give 'em the right to vote and then you're doing this, you build this place and you don't
632 have a [inaudible] over there that has these rights to vote for you, but you just wanna put
633 the money in your pocket. You just wanna pocket everything and say, 'Oh well,' you
634 know, you wanna look good up here and everything, talking to people about, you know,
635 you're so much this and you're so much that. But if you look at it, Riviera Beach, I mean,
636 when people ask me where I live, I say in Florida. I don't even say Riviera no more.

637 And it's a shame, really, that you, you're bringing up these places and you're lettin'
638 these people come in and build 'em, and you're giving them all these breaks, but they
639 don't give your people a break. You don't give your own people a break.

640 Thank you.

641 **Chairperson Botel:** Thank you, Mr. Brown. Any other questions from Council?
642 Madam Clerk.

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

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

645 **City Clerk Anthony:** Councilperson Lanier? [Pause] Councilperson Lanier?

646 **Councilperson Lanier:** Yes.
647 **City Clerk Anthony:** Councilperson McCoy?
648 **Councilperson McCoy:** Yes.
649 **City Clerk Anthony:** Pro Tem Lawson?
650 **Chair Pro Tem Lawson:** Yes.
651 **City Clerk Anthony:** Chair Botel?
652 **Chairperson Botel:** Yes.
653 **City Clerk Anthony:** Unanimous vote.

654 **PETITIONS AND COMMUNICATIONS FOR FILING**

655 **AWARDS AND PRESENTATIONS**

656 **PUBLIC HEARINGS**

657 **6. Chairperson Botel:** Item No. 6.

658 **City Clerk Anthony:** **RESOLUTION NUMBER 75-20 A RESOLUTION OF THE**
659 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
660 **FLORIDA, APPROVING AN APPLICATION (SP-19-23) FROM SROA CAPITAL, LLC.**
661 **REQUESTING SITE PLAN AMENDMENT APPROVAL TO EXPAND THE EXISTING**
662 **SELF STORAGE USE BY CONSTRUCTING AN ADDITIONAL 36,310 SQUARE FEET**
663 **OF NEW BUILDING AREA AS WELL AS PROVIDING BUILDING FAÇADE AND**
664 **LANDSCAPE IMPROVEMENTS AT 1177 WEST BLUE HERON BOULEVARD,**
665 **COMPRISED OF APPROXIMATELY 8.58 ACRES OF LAND, IDENTIFIED BY PARCEL**
666 **CONTROL NUMBER 56434229560000010; PROVIDING FOR CONDITIONS OF**
667 **APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

668 **CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060**

669 **City Clerk Anthony:** Madam Chair, Members of the Board, we do have public
670 comment on this Item. The acceptance of public comments cards on this Item is now
671 closed.

672 **Councilperson McCoy:** So moved.

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

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

675 **Chairperson Botel:** Thank you. Mr. Sirmons.

Development Services Director Sirmons: For this project, the applicant is Storage rental of America Capital, LLC. The agent on the behalf is Schmidt, Nichols Arch'.., I'm sorry, Landscape Architecture & Urban Planning firm. Their request is that the Site Plan be approve to construct an additional 36,310 square feet of new building areas, would expand existing 84,673 foot'.., square foot self-storage use, as well as provide a new building façade and landscaping approvals. The total [inaudible] will be 120,000 square feet.., 983. The location is 1177 West Blue Heron Boulevard. This is an aerial of the site location. [Pause]. A closer view of the site.

So, background on this one. Self-Storage of America acquired this property in October of 2018 and desires to expand the current self-storage operation, as well as provide general site improvement, including landscaping, building façade improvements per the City Code requirements. A total of 36,310 square feet of new self-storage space is proposed on the southside of the building of the existing structure and will be outside of the Blue Heron Boulevard view corridor. A new building façade will be provided on the existing building, compatible with the City's Code. When completed as proposed, a total of 120,983 total square feet of building will exist on the site.

A Phase 1 environmental assessment was commissioned by Self-Storage of America in July of 2018, prior to the property acquisition. This assessment includes.., conclude by recommending the following actions, contin'.., continual implementation of the protocol set forth by the U.S. EPA super fund program, associated with the ongoing subsurface soil, groundwater mediation due to this historic property use and contamination by Solitron Devices, Incorporated, the previous owner of the building. An operation and maintenance program should be implemen'.., implemented in accordance with safety management and suspected asbestos containing material and lead base paint due to the age of the existing structure on the site

Following the February 19, 2020 City Council meeting, the City utilized the serves of Brown and Caldwell to perform an environmental review of the subject property. And the surrounding area as well. Two documents were created on August 13th as a result of the research, the proposed Environmental Development Guidelines Report, as well as the Environmental Review Report. The results were presented and discussed during the September 2nd City Council meeting. The summary of the report was, it does not appear that the proposed construction activities will exacerbate any areas previously contaminated. The City should be notified of the construction plans change from.., if the construction plans change from the drawing provided, prior to initiating construction activity. And that's from the Brown and Caldwell report, in their recommendations to the City, moving forward with this project.

Here is the site Plan proposed for the project. [Pause]. The highlighted section shows the existing structure at the site. The grey area is what will be expanded. This is the proposed Landscaping Plan for the site. And here's a closer view of the landscaping as it would reflect along Blue Heron Boulevard. These are the updated elevations of the building. The photo at the bottom shows the existing elevation. The top shows the changes. And there are [inaudible] color renderings of what the site will look like after the changes.

719 Staff recommends that the City Council approve this project with the following
720 conditions. A two year landscaping performance bond; construction and landscaping
721 improvements must be initiated within eighteen months of the effective date of this
722 Resolution; City Council authorizes Staff to approve future amendments to the site as
723 long as they don't deviate more than five percent from this Plan that's before you now;
724 the development must receive its final Certificate of Occupancy within five years of this
725 approval or it will be considered null and void; all future advertising must state that the
726 development is within Riviera Beach; and once approved, this Resolution shall supersede
727 any previous site plan approvals for this property; prior to approval of the City building
728 permit, the applicant shall provide a draining report sufficient to demonstrate compliance
729 with the City and South Florida Water Management District Regulations. And finally, the
730 development of the site must adhere to the best management practices provided within
731 the August 13, 2020 proposed Environmental Development Guidelines Report, within the
732 Environmental Review Report from Brown and Caldwell, which is attached to this
733 Resolution.

734 And that concludes the Staff presentation.

735 **Chairperson Botel:** Thank you, Mr. Sirmons. Mr. McCoy, you're recognized.

736 **Councilperson McCoy:** Thank you, Madam Chair. I wanted to, I guess I overlooked
737 this, but I wanted to... A, a minor disclosure, I did receive a phone call from one of the
738 agents for the principal, Chris Smith, on this Item, related to the Item's progress and any
739 support of the Item.

740 But I did wanna point out, I was looking at Staff's report, and when we first heard
741 this Item, it was several months ago but the initial façade improvement was not a part of
742 the original Site Plan application. If I'm correct, we've had a discussion about.., and I
743 know I specifically said during that meeting, you know, obviously I would like to see.., you
744 know, if they're gonna build out and expand their operations, this is on the primary road
745 of Riviera Beach, the I-95 exit, that they can do something with the façade. So in good
746 faith, I think they did go back and, Mr. Nichols.., I don't know if we would necessarily need
747 a presentation from the agent's rep but they did come back and I am very much pleased
748 with what they came back, as far as the façade improvement, but I do think that that was
749 certainly a gesture of good faith and coming back to show us something that really
750 appeals to the overall aesthetics of Blue Heron Boulevard. So, thank you for that, Mr.
751 Nichols. And good to see you.

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

753 **Chairperson Botel:** Go ahead. You're recognized, Mr. Lawson.

754 **Chair Pro Tem Lawson:** Thank you, Madam Chair. And, Councilman McCoy, that was
755 actually one of the discussions we had as.., on the dais, that we wanted them to come
756 back with some façade improvements and landscaping improvements. So, we did make
757 that request and they fulfilled it. So, again, thank you as well. And it's a beautiful project.
758 Hopefully, it can get done sooner.

759 **Chairperson Botel:** Anything else? We have a public comment..., we have public
760 comment...

761 **City Clerk Anthony:** Yes, Madam Chair.

762 **Chairperson Botel:** ...card.

763 **Councilperson Lanier:** Madam Chair?

764 **Chairperson Botel:** Oh sorry. I'm sorry, Ms. Lanier..., Councilwoman Lanier, go
765 ahead with your question.

766 **Councilperson Lanier:** This was one of the projects that I was having some heartburn
767 about in regards to the environmental study. And now that we've gotten that information
768 back in regards to the land being safe enough to develop on, I'm happy with the fact that
769 we went through this process to be able to ensure the residents that the building on this
770 land is safe, not only for what is being built, but for the surrounding areas of Riviera Beach.

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

772 **City Clerk Anthony:** Fane Lozman.

773 **Mr. F. Lozman:** Fane Lozman. Councilperson Lanier, you bring up..., Councilperson
774 Lanier, you bring up a very good point, except the Development Director, Clarence
775 Sirmons, is trying to pull a fast one on you.

776 A Phase 1 environmental study is to analyze if there's recognized environmental
777 conditions, REC. What is going on there? Now, he already said that's built on a
778 superfund site [chuckle] from Solitron. So, when you..., when you..., you don't even have
779 to do a Phase 1 when you know there's problems there. What you have to do is, you
780 have to do a Phase 2 environmental study where you actually do drilling, you do soil
781 samples, you see what is gonna come up when you put [inaudible] and dry pilings into
782 the, into the ground. Now, the..., one of the lawyers that represented me at the U.S.
783 Supreme Court is an environmental attorney and they had been involved in the biggest
784 superfund site in the United States for the last twenty years. So, you know, I, I think any
785 environmental lawyer would laugh at you, Mr. Sirmons, for not having a Phase 2
786 environmental study. There's no way you can have a site that's been [chuckle] identified
787 from Solitron and not do an extensive Phase 2 study and say, 'What is gonna happen
788 when you put a bunch of excavators in there, and you start digging a foundation? Is all
789 this stuff gonna blow up in the air and go over to the surrounding communities?'

790 And Ms. Lanier is perfectly correct, and you have to have an environmental study
791 but a Phase 1 means nothing. Where's the soil testing, where's all this going on? It's not
792 my job to do your job, Mr. Sirmons. You're supposed to be competent to know what a
793 Phase 2 is, know what a superfund site is. You know, why wouldn't you do that? I mean,
794 this is really... You know, if I lived in that area and I didn't have confidence of what was
795 going down there, from a superfund site, I would..., it's just, like, does anybody give a
796 damn who lives around the surrounding area? Does anybody know what a superfund

797 site is? Do you know what a superfund site is, Mr. Sirmons? I do. I bet you Mr. McCoy
798 knows what it is. Mr. Lawson knows what a superfund site is. Why don't you give an
799 explanation what did Solitron do to have a superfund site to begin with? How many
800 people got cancer, you know, within a block of that place? You just can't open up the
801 ground there and, and do construction without doing a Phase 2. That, that should be
802 criminal, that you would come in here and not have a Phase 2 study done.

803 So, Ms. Lanier, thank you for your comment but you should demand a Phase 2
804 environmental study on that before they open up that ground and see what's underneath
805 there in the construction.

806 **City Clerk Anthony:** Madam Chair, Members of the Board, that concludes public
807 comment on this Item.

808 **Chairperson Botel:** Thank you.

809 **Councilperson Lanier:** Madam Chair?

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

811 **Councilperson Lanier:** Could we have someone from the environmental..., the
812 environmental study there to present their findings please? 'Cause that's what I asked
813 for in the beginning.

814 **Councilperson McCoy:** No. I disagree. Here's why. Madam Chair?

815 **Chairperson Botel:** You're recognized.

816 **Councilperson McCoy:** You guys literally went against what I suggested when the
817 Manager came at a meeting to say we're adding this on and I was really pressed for time,
818 and I was outvoted and We went through an extensive amount of discussion regarding
819 this environmental study. Are we gonna continue to rehash and rehash every time
820 someone gets a misunderstanding of it? But Members, I hope you recall that I said, 'You
821 know, we don't typically allow for presentations that don't already come in advance,' and
822 I'm saying this respectfully, Councilwoman Lanier. I think we've hashed this out already
823 and I, you know, for the sake of time, we've seen this at least, in our backup, and then
824 we've had probably a half hour of discussion on the [inaudible].

825 **Chairperson Botel:** Councilwoman [inaudible]...

826 **Councilperson Lanier:** Madam Chair?

827 **Chairperson Botel:** Go ahead.

828 **Councilperson Lanier:** Yeah. I, I, I understand McCoy..., Mr., Councilman McCoy,
829 what you're asking. It's just that, that hundreds of pages of backup, some members of
830 the public, people who are watching on television, maybe like a five-minute overview of

831 what actually was found and what actually was done. I believe the engineer is there. It
832 wouldn't take more than five minutes for them to speak on the work that they did.

833 **Chairperson Botel:** Mr. McCoy, if we could allow three minutes, I think that would
834 be...

835 **Councilperson McCoy:** Okay. But...

836 **Chairperson Botel:** It would satisfy...

837 **Councilperson McCoy:** ...but, but you see the precedent...

838 **Chairperson Botel:** I do.

839 **Councilperson McCoy:** ...that we set?

840 **Chairperson Botel:** I do.

841 **Councilperson McCoy:** And this is why I get a little...

842 **Chairperson Botel:** I know.

843 **Councilperson McCoy:** ...bothered because I don't wanna be here 'til midnight.

844 **Chairperson Botel:** I do'.., I know. We're gonna give...

845 **Councilperson McCoy:** Thank you.

846 **Chairperson Botel:** We're gonna give three minutes as a, as a... Thank you.
847 Would you set the timer, Madam Clerk.

848 **Mr. J. Nichols:** Thank you.

849 **Development Services Director Sirmons:** Clerk. I'm sorry, clarification. Our..., our
850 consultant from Brown and Caldwell, Mr. Nigel Grace, is here if the Council would like to
851 hear [inaudible] of their report.

852 **Chairperson Botel:** Thank you. No more than three minutes. Thank you.

853 **Mr. J. Nichols:** Thank you. Good evening. My name is Josh Nichol, for the record,
854 with Schmidt Nichols. I'm actually the land planner for the project but I do have partner
855 engineering in science, they did the study. And, what we did [stammer] it's a gr'.., I'm
856 actually glad that came up and, and I can respond to that. So, we absolutely did soil
857 testing. We did twelve specific sites throughout the areas that are to be built on. Those
858 specific soil tests were, were then reviewed by Brown and Caldwell, who was hired by the
859 City. So again, you had two different sources of environmental consultants looking at all
860 those testings, and what came back was that there were no.., there was no results that
861 were, I guess, of a level that would impact any, any community members, anyone

862 surrounding the property, and everything was safe in terms of all the federal and local
863 requirements. So.

864 **Chairperson Botel:** Thank you so much.

865 **Mr. J. Nichols:** Thank you.

866 **Chairperson Botel:** Any other questions? Madam Clerk, we can call the roll.

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

868 **Councilperson Lanier:** Yes.

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

870 **Councilperson McCoy:** Yes.

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

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

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

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

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

876 **Chairperson Botel:** Yes.

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

878 **Chairperson Botel:** Thank you.

879 **ORDINANCE ON SECOND AND FINAL READING**

880 **7. Chairperson Botel:** Item No. 7.

881 **City Clerk Anthony:** **ORDINANCE NUMBER 4147 AN ORDINANCE OF THE**
882 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
883 **FLORIDA, AMENDING CHAPTER 31 OF THE CITY'S CODE OF ORDINANCES**
884 **ENTITLED, "ZONING", ARTICLE V, "DISTRICT REGULATIONS", BY CREATING A**
885 **NEW ZONING DISTRICT ENTITLED, "SP SPECIAL PRESERVATION DISTRICT",**
886 **COINCIDING WITH THE CITY'S COMPREHENSIVE PLAN FUTURE LAND USE**
887 **ELEMENT FOR SPECIAL PRESERVATION AREAS; AND AMENDING CHAPTER 31,**
888 **ARTICLE V, DIVISION 1, "GENERALLY", SECTION 31-96, DESIGNATION OF**
889 **DISTRICTS", BY ADDING REFERENCE TO THE "SP SPECIAL PRESERVATION**
890 **DISTRICT"; AND AMENDING CHAPTER 31, ARTICLE V, DIVISION 1,**
891 **"GENERALLY", SECTION 31-97, "OFFICIAL ZONING MAP AND ZONING DISTRICT**
892 **BOUNDARIES", BY AMENDING THE CITY'S ZONING MAP BY ASSIGNING A**

893 SPECIAL PRESERVATION ZONING DISTRICT DESIGNATION TO ANY AND ALL
894 LAND AREA CURRENTLY HAVING A SPECIAL PRESERVATION FUTURE LAND
895 USE DESIGNATION ACCORDING TO THE CITY'S COMPREHENSIVE PLAN AND
896 FUTURE LAND USE MAP, IN ORDER TO PROVIDE CONSISTENCY BETWEEN THE
897 CITY'S FUTURE LAND USE MAP AND ZONING MAP, WHICH WILL IMPACT REAL
898 PROPERTY OR PORTIONS THEREOF, LOCATED NORTH OF PINE POINT ROAD
899 AND WEST OF NORTH OCEAN DRIVE IN THE CITY OF RIVIERA BEACH;
900 PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR
901 CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

902 CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060

903 **City Clerk Anthony:** Madam Chair, Members of the Board, we do have public
904 comment on this Item. The acceptance of public comment on this Item is now closed.

905 **Chairperson Botel:** Thank you. Would someone care to make a motion to
906 approve?

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

908 **Councilperson McCoy:** So moved.

909 **Councilperson Lanier:** So moved. Second.

910 **Chairperson Botel:** We have at least one second. Thank you. Mr. Sirmons.

911 **Development Services Director Sirmons:** [Inaudible] presentation on this Item?

912 **Chairperson Botel:** Do we need a presentation on this Item?

913 **Councilperson McCoy:** It depends, on who's gonna give it?

914 **Chairperson Botel:** Mr. Sirmons.

915 **Councilperson McCoy:** Oh. I would love to hear Mr. Sirmons.

916 [Chuckle]

917 **Chairperson Botel:** We can have a very brief presentation to refresh our memory.
918 Thank you.

919 **Development Services Director Sirmons:** I will move quickly as...

920 **Councilperson McCoy:** Well, well...

921 **Development Services Director Sirmons:** ...[inaudible].

922 **Councilperson McCoy:** ...Madam Chair, I'm sorry. So, have we established what the
923 public comments are? And how that's to work?

924 **Chairperson Botel:** Yes. We have..., we, we have the process. We'll, we'll get to
925 them right after we see the presentation.

926 **Councilperson McCoy:** Okay.

927 **Development Services Director Sirmons:** Alright. The City's Comprehensive Plan
928 and the Future Land Use Map of the City providing for a Special Preservation Future Land
929 Use Designation. The City's zoning code is currently silent regarding the Special
930 Preservation District [inaudible]. In order for the City's zoning code to be consistent with
931 the City's Comprehensive Plan and Future Land Use Map, a Special Preservation Zoning
932 District must be created. Additionally, the City's Zoning Map must be amended to apply
933 the newly created Special Preservation Zoning Designation on the same land area
934 currently identified as Special Preservation Future Land Use.

935 The City's Comprehensive Plan provides specific provisions for a special
936 preservation area of the City. The same land area having a Special Preservation Future
937 Land Use Designation, currently has an RS single family residential zoning designation.
938 Per Florida statutes, the Land Devel'..., Development Regulations, the City's Zoning Map
939 must be compatible with the Future Land Use Map. In order to accomplish the state
940 required compatibility, the City must create a Special Preservation Zoning Designation
941 and amend the Zoning Map accordingly.

942 This Ordinance would do two things, create the Special Preservation Zoning
943 District, and it would also amend the City's Zoning Map by incorporating the Special
944 Preservation Zoning District into the map. The Zoning District would mirror the Special
945 Preservation Future Land Use area per the City's Future Land Use Map in the
946 Comprehensive Plan. This is a picture of the Future Land Use Map of the City. This is
947 the area in question. [Pause]. A close up of the area in question. This is the City's Zoning
948 Map. As you can see the zoning is residential in that location. This Ordinance would
949 create a transition the tan area to a green area, labelled Special Preservation. The
950 graphic here is the hierarchy of land use authority in Florida. The highest authority for
951 land use in a city is the Comprehensive Plan. Under it are the land development code,
952 such as zoning. And then you have the lowest level, which are your development orders,
953 and they include permits, special exceptions, variances and those, those types of, of
954 orders that the City can issue to individual partners. But the hierarchy demonstrates
955 which one governs if there's ever a conflict.

956 So, legal status of the Comprehensive Plan. This slide here discusses what
957 happens if there is a conflict, as we have currently. During the interim period, when the
958 provisions of the most recently adopted Comprehensive Plan or element, or portion
959 thereof, and the Land Development Regulations are inconsistent, the provisions of the
960 most recently adopted Comprehensive Plan or its elements, or a portion thereof, shall
961 govern any action taken in regard to an application for a development order. Again, so,
962 if there's a conflict, the Comprehensive Plan is what controls. The top are examples of
963 those development orders, and this talks about how the Comprehensive Plan can be
964 enforced. If a citizen is negatively impacted by the City issuing a development order that
965 is in conflict with the Comprehensive Plan, this states that that citizen has standing to sue

966 the City to.., for, for any damages that they may incur from that, and the prevailing party
967 is entitled to attorney fees.

968 This is from our Comprehensive Plan, and it shows the Special Preservation Land
969 Use District, which the subject area is currently designated as, and it shows that the floor
970 area ratio or the density or the, essentially the amount of vertical development that can
971 take place on that property is zero, as you can see in the highlighted area. So this just
972 demonstrates that as things stand now, no one who owns property in the subject area,
973 by way of the Comprehensive Plan, has any development rights when it comes to density
974 or vertical structures on their property.

975 This is a history of this Ordinance. October 2019, we held a workshop with Council
976 to discuss this Ordinance. May of 2020, the Planning & Zoning Board unanimously
977 recommended approval of this Ordinance. In July of 2020, Staff recommended Council
978 approve the subject Ordinance, and it did pass the first reading. At the July 8th hearing,
979 this.., sorry, the July 8, 2020 Council hearing, this Item was tabled, and additional
980 information related to the presence of wetlands was requested. This additional
981 information was provided at a workshop. And then, at the September 16, 2020 Council
982 meeting, this Item was discussed, it was not completed and continues to this date. Here,
983 just some evidence of wetlands that was presented previously in this area. This is from
984 the City's Comprehensive Plan. This is a survey conducted previously in the area
985 identifying wetlands. These are all of the resources the City's consultant used to confirm
986 the existence of wetlands in the area. And their conclusion was that they found several
987 environmental resources worthy of protection in the subject area.

988 And that concludes Staff presentation.

989 **Chairperson Botel:** Thank you, Mr. Sirmons. Madam Clerk, would you please
990 explain the way you're going to the public comments for this Item?

991 **City Clerk Anthony:** Madam Chair, Members of the Board, we have two persons
992 here, physically, that wants to make public comments on this Item. As it relate to the over
993 seven hundred emails that were received, I was directed to record the names of those
994 who sent an email in support of the petition that was presented by Ms. Karen Gleason.
995 That recording was done, it will be played by Mr. Stephens. It took up about thirty-five
996 minutes of recording. So, that's how we will proceed. We will.., it's at the pleasure of the
997 Board whether or not we will hear the two persons that are here physically...

998 **Chairperson Botel:** Let's...

999 **City Clerk Anthony:** ...first...

1000 **Chairperson Botel:** Let's hear those first.

1001 **City Clerk Anthony:** And then the recording?

1002 **Chairperson Botel:** Yes. Go ahead.

1003 **City Clerk Anthony:** Okay. [Pause]. [Inaudible whisper]. Fane Lozman and J.B.
1004 Dixon.

1005 **Mr. F. Lozman:** Fane Lozman. For the record... Fane Lozman. For the record, the
1006 property owners in the area only received a certified letter on Monday, and it said the date
1007 of the meeting spelled out Thursday. So I don't think two days is sufficient notice.

1008 We did file a write of quo warranto and we named Mr. McCoy and Mr., Ms. Botel
1009 and Ms. Lanier. Contrary to what Ms. Wynn said, the case was not dismissed. The
1010 Complaint was dismissed without prejudice. The court said it was premature. If it passes
1011 tonight, then he will analyze should it proceed forward. Because it failed on the first
1012 reading and that should've been the end of it. If you wanted to do it, you would've had to
1013 start all over again, so when she said it was dismissed, that not true. Also, Mr. McCoy,
1014 he said he wasn't even known he was sued, so the..., so there was a fraud on the court
1015 that Richard Jarolem showed up and said he was representing you. Because you were
1016 sued in your individual capacity and you never hired him. Ms. Wynn and Richard Jarolem
1017 committed a fraud on the court. They should've informed you because maybe once you
1018 read the Complaint, you woulda said, 'You know something, we're not going to proceed
1019 forward on this.'

1020 You know, you look at all that stuff, what the City, the City should do, is they should
1021 have a Comp Plan amendment inst'..., they should say you have a hundred and fifty acres
1022 that are privately owned. Why don't you take seventy-five acres, develop it, build the
1023 seawall, save the road and those high tides water got up on all of North Ocean Drive, and
1024 then we can preclude a taking case that's gonna be worth hundreds of millions of dollars?
1025 And they said, 'Oh well, it's, it's not matching up.' Sure it is. You have a saving clause in
1026 the Comp Plan, you can leave it just the way it is right now. Okay? What's happening,
1027 is you have thousands of residents in the condos and all those people in the homes, they
1028 got there first, so they don't want anything built. They say it's the wetland. If it was
1029 wetland, it would be in the Wetland Preservation Map. All it is a shoreline with mangroves.
1030 We can go get a permit tomorrow and tear every mangrove out of there and pay money
1031 into a mitigation bank. And the City said..., was like, 'Oh we don't wat..., we don't want
1032 wetlands filled out.' The wetlands are swamps, like the everglades. The wetlands is what
1033 Kolter did. Kolter filled in their wetlands and ripped out a bunch of mangroves. So when
1034 did the Wetland Preservation Map, they didn't consider our property to be wetlands. It's
1035 all these people with the houses and condos, they're worried about their view corridor.
1036 But you know who's gonna have to pay that? We'll win that case. Bauman doesn't know
1037 what he's talking about. We will win a taking case worth hundreds of millions of dollars,
1038 you're gonna have to float a bond here and the individuals that participated have personal
1039 liability. Why would you do that? Why don't you say, 'Let's compromise, fill in fifty acres,
1040 save the road and let's move forward.' We have, we have a great lobbyist. Rodney
1041 Barreto owns eighteen acres. Yeah, eighteen acres. We got a lot of very powerful people
1042 that are gonna put a lotta money to fight this out. At the end of the day, we're gonna win
1043 it because you have everybody else...

1044 **Chairperson Botel:** Thank you, Mr. Lozman.

1045 **Mr. F. Lozman:** ...built their homes and condos but we're not gonna be?

1046 **Chairperson Botel:** Thank you, MR. Lozman

1047 **Mr. F. Lozman:** You don't wanna go down that road.

1048 [Timer]

1049 **Chairperson Botel:** Madam Clerk.

1050 **City Clerk Anthony:** J.B. Dixon.

1051 **Ms. J.B. Dixon:** I'm sure that the Council is very pleased to find that Mr. Lozman is
1052 not only better than your Attorney's, although he's not an attorney, and he's better than
1053 your new Director of Development Services, as well as your outside counsel, as well as
1054 all of you. But, since we do not have the pleasure of having Mr. Lozman run our City,
1055 because he has not been elected, we're just sort of stuck with the rest of you and I hope
1056 that you will be able to take the advice of your Attorney and of your professionals, who
1057 are experts in this area, as well as not just seven hundred names that you will hear tonight,
1058 but really over a thousand people who have signed the petition to urge you to pass this
1059 Resolution.

1060 It is untrue that only people who are worried about their views are against this.
1061 There are very few people on Singer Island have a view of this lagoon. People all over
1062 the Island, and in the mainland, know that it is a natural resource that cannot ever be
1063 gotten back if and when it is ruined. It is already being ruined by Mr. Lozman and his
1064 cabal, in that all sorts of illegal things have been going on there, building, et. cetera, et.
1065 cetera. Seagrasses have been destroyed. All of this has been documented. Everything
1066 that you saw up on the screen points to the fact that this is really simply a housekeeping
1067 chore. Your Comprehensive Plan already says that those submerged lands cannot be
1068 developed in any way. Your predecessor Council Members, not you, simply failed, as did
1069 your predecessor management team, failed to do this housekeeping chore of simply
1070 bringing.., bringing the zoning in compliance with your Comprehensive Plan, which
1071 supersedes it anyway. Mr. Lozman, of course, is always going to sue you. Mr. Lozman
1072 is always confident that he will win. This is not a Supreme Court case, ladies and
1073 gentlemen. This is not a First Amendment Right case. You are not the same people that
1074 he was suing before. Also, as I think Mr. Sirmons pointed out, and certainly your
1075 Attorneys will point out, if Mr. Lozman thinks he can sue, the, the people from Singer
1076 Island can also sue. So, one way or another...

1077 [Timer]

1078 **Ms. J.B. Dixon:** ...you may have a suit. I urge you to do the right thing, despite those
1079 threats.

1080 **Chairperson Botel:** Thank you...

1081 **Ms. J.B. Dixon:** Thank you.

1082 **Chairperson Botel:** ...Ms. Dixon. Do we have any other in-person comments?

1083 **City Clerk Anthony:** Madam Chair, Members of the Board, that concludes our
 1084 physical public comments. Let me make sure that everyone understands, the names that
 1085 the..., that are recorded are from the emails that were received, not the names of the
 1086 individuals that signed the petition that was presented at the last City Council meeting.

1087 **Chairperson Botel:** Okay.

1088 **City Clerk Anthony:** On September 16th. Mr. Stephens.

1089 **Chairperson Botel:** So these are names of people in support...

1090 [From the video]

1091 **City Clerk Anthony:** The following...

1092 **Chairperson Botel:** ...of this Ordinance?

1093 **City Clerk Anthony:** The names that you will...

1094 **City Clerk Anthony:** ...petition was received...

1095 **City Clerk Anthony:** ...hear are people that submitted...

1096 **City Clerk Anthony:** ...electronically from Karen Gleason.

1097 **City Clerk Anthony:** ...an email in support of the proposed petition.

1098 **City Clerk Anthony:** The heading reads: I have read the petition to pass Ordinance
 1099 No. 41-47 and wish to add my name to the list of citizens urging its passage. Please ask
 1100 the City Clerk to read my name into the record as supporting the establishment of the
 1101 Special Preservation District. Emails were received from the following individuals.

1102 Judith Gibson	1112 Gwendolyn Smythe
1103 Michael Melby	1113 Patricia Downey
1104 Yvette Melby	1114 Leslie Miller
1105 Gina Melby	1115 Claire Granowitz
1106 Larry Melby	1116 Kevin Bell
1107 Shannon Giamo	1117 Chiara Bell
1108 Joseph Giamo	1118 Terri Lebonitte
1109 Marsha McIntyre	1119 James Burch
1110 Karen Gleason	1120 Jeffrey Fisher
1111 Robert Halkett	1121 Daniel Posse

1122 Joe Destro
1123 Amanda Bell
1124 Audra Elisco
1125 Gene Johnson
1126 Ina Schlossberg
1127 Floyd Schlossberg
1128 R. Michael Vorse
1129 Michelle Vorse
1130 Randi Birk
1131 Alan Burke
1132 Walter Denny
1133 Patsy Yeakey
1134 James Kane
1135 Maria Leavy
1136 Bob Leavy
1137 Joseph Vitulli
1138 Mike Green
1139 Matt Lynch
1140 Jayme Bonar-Bridges
1141 Lee Innocenti
1142 John Bade
1143 Roland Pereira
1144 Andrea Jonethis
1145 Debbie Carroll
1146 Robert Gelenberg
1147 Lena Gelenberg
1148 Alissa Lynch
1149 Ashley Lynch
1150 Cindy Green
1151 Lori Abel
1152 Renee Delgado
1153 Ed Oliva
1154 Susan Trubetskoy

1155 Nina Aggarwal
1156 Mattias Eriksson
1157 Wendy Lee Longacre
1158 David M. Kay
1159 Renee Lynch
1160 Yulia Pushkar
1161 Dr. Eugene Holly
1162 Judy Holly
1163 Mitchell Ghen
1164 Brad Barron
1165 Heather Barron
1166 Jennifer Whitney Little
1167 Debra Kowalski
1168 Charles G., Lewis
1169 Mellie Lewis
1170 Gary Binienda
1171 Karen M. Binienda
1172 James Gleason
1173 Celia Echaye
1174 Paul Fotek
1175 Julia Fotek
1176 Ilona Fotek
1177 Alecander Fotek
1178 Barry Schepp
1179 Dru Pio
1180 Emma Horn
1181 Susan Paulson
1182 Marian Belloli
1183 Hilary Ward
1184 Sara Fitzpatrick
1185 Robert Coull
1186 Ina Steidle
1187 Jimmy Walker

1188 Gill Rivas	1221 Henry Weinarz
1189 Marilda Simone	1222 Lisa Emond
1190 Craig White	1223 Louis Couttu
1191 Penny Pompei	1224 Cynthia R. Haag
1192 Lynn Tabernacki	1225 Laurie Choate Churchwell
1193 JoAnn Brennerman	1226 Diane Ackerman
1194 Terry Brennerman	1227 Gary Landowne
1195 Vilas Deshpande	1228 Lawrence K. Gross
1196 Nicole Prokopetz	1229 Chelsey Delgado
1197 Jim Prokopetz	1230 Steve Treiber
1198 Quentin Prokopetz	1231 Stuart H. Hershfeld
1199 Lexa Prokopetz	1232 Lenore Housman
1200 John Syverson	1233 Arno Housman
1201 Janice Syverson	1234 Frank Porrini
1202 Josephine Chote	1235 Lori Porrini
1203 Mark Choate	1236 Ronald M. Hill
1204 David Shill	1237 Michael Weiss
1205 Judith Shill	1238 H. R. Moidell
1206 Robert Venit	1239 David Arnow
1207 Debra Crisan	1240 Barbara Weisserberg
1208 Benoit Emery	1241 Karen Maffucci
1209 Peter Madonia	1242 David Maffucci
1210 William Breneisen	1243 Juan Gabriel Llano
1211 Thomas B. Wilner	1244 Adrienne Benzoni
1212 Jane Wilner	1245 Diana DiMeo
1213 Moira Madonia	1246 Nebil Candemir
1214 Tommy Churchwell	1247 Peter Benedek
1215 Joseph Martinez	1248 Magda Benedek
1216 Alice Naegele	1249 Gordon Rowse
1217 Ayoub Rashtchian	1250 Joe Botta
1218 Gary N. Schnabolk	1251 Regina Botta
1219 Manuel Gomez	1252 Jorge Ferrand
1220 Joan Gomez	1253 Marlene A. Brown

1254 Nicholas A. Lawler
1255 Susan Bennett
1256 Monika Stein
1257 Merle Neidell
1258 Franz Stein
1259 Debbie Liberati
1260 Denise Rivas
1261 Stephen Neidell
1262 Kevin Wallace
1263 Tom Twyford
1264 Scott Swarm
1265 Patricia Holland
1266 Thomas Kos
1267 Patricia Kos
1268 Miguel Barreiro
1269 Ann West
1270 Jeff Cote
1271 Dennis Dewey
1272 Richard E. Doyle
1273 Ken M. Chong
1274 Gehui Cheng
1275 Joella Callaway
1276 Bernard E. Marino
1277 Kimberly Lecompte
1278 z. Francescutti
1279 Gail Isaacson
1280 Jane Westacott
1281 Maria Molano, M.D.
1282 Stephen Selby
1283 William K. Orr
1284 Elana Sher
1285 Lorraine R. Perez
1286 Louis Baccari

1287 Catherine Baccari
1288 Myra Doniger
1289 Bill Doniger
1290 Kevin Haig
1291 Jeff Cherif
1292 Isabelle Filipone
1293 Arlene Stroker
1294 Gilbert Stroker
1295 Jane Gilbert
1296 Ronald M. Hill
1297 Richard Coratti
1298 Nance Coratti
1299 Rite Borraccio
1300 Lino Borraccio
1301 Elvira Borraccio
1302 Norma Leal
1303 Debbie Kane
1304 Vito Bruno
1305 Lauren Bruno
1306 Judith Wiierama
1307 Jeffry Hammerer
1308 John Vaccaro
1309 Lynne Robertson- Augugliaro
1310 Salvatore Augugliaro
1311 Louis Antegnoli
1312 Anne Ferrando
1313 Kathleen J. Toye
1314 Roger D. O'Brien
1315 Lori Schoen
1316 Kenneth Schwartz
1317 Robin Bryan
1318 Kymberly O'Brien
1319 Tim Ryan

1320 Doreen LaDonna
1321 Jorge Leal
1322 Charles Beckinella
1323 Nancy Ryan
1324 Jana K. Nichols
1325 John Kung
1326 Christine Kung
1327 Ellyn Lerner
1328 Anne Chiungos
1329 Andrew Goldenberg
1330 Aviva Goldenberg
1331 Martin Leiter
1332 Richard Ungaretti
1333 Shannon Dowler
1334 Alan Lerner
1335 L. Wesley Nichols
1336 Lori Gross
1337 Patrick Carroll
1338 Leena Patel
1339 Dillon Patel
1340 Arlene Ludwig
1341 Laura Connell
1342 Raymond Plnard
1343 Carole Freilich
1344 Lori Everett
1345 Jill Coleman
1346 Marianne Storath
1347 Dave Storath
1348 Nicholas Lama
1349 Noren Ungaretti
1350 Marc Kruer
1351 Sangita Bafna
1352 Amy R. Churgin

1353 Gary L. Churgin
1354 Bonnie Dorfman
1355 Martha McLean Bolton
1356 Scott Hummel
1357 Glen Spiritis
1358 Jo-Ann Spiritis
1359 Debra Wangrud
1360 Arthur Giordano
1361 Paul Kotsol
1362 Cathy Kotsol
1363 Gina Iacobazzo
1364 Frank Iacobazzo
1365 Rex Baker
1366 Katherine Humphrys
1367 Igor Polyakov
1368 Yelena Polyakov
1369 Mar Shim
1370 Sarah Dunham
1371 Sandi Selby
1372 Bev Galamaga
1373 Bob Galamaga
1374 Tibor Gross
1375 Joseph M. Geraci
1376 Anita Goldblatt
1377 David Goldblatt
1378 Rudolf Jaffe
1379 Dennis Teeter
1380 Sally Teeter
1381 Paul Salkin
1382 Laurene Robbins
1383 Sally Morris
1384 Kevin Healey
1385 Leslie Menzies

1386 Jeff Robbins
1387 Halldora Capio
1388 Robert Ginobi
1389 Tracy Bourandas
1390 Valerie Groglio
1391 Jacqueline McAnulty- Weissere
1392 Nicholas Shiller
1393 Judith Shiller
1394 Jacqueline Carroll
1395 Tara L. Kopp, Esq.
1396 Barbara Murphy
1397 Sara Chew
1398 Jamie Cscapo
1399 Greg M. Cummings
1400 Rebecca Chew
1401 Richard D. Schuller
1402 Michael Kreisberg
1403 Jon Blumengarten
1404 Joseph A. Johnston
1405 Paul Rulnick
1406 Irene Rulnick
1407 Amanda Coates
1408 Steven L. Craig
1409 Richard J. Bazy
1410 Bonnie Marshak
1411 Lucia Grimaldi
1412 Geoffrey Chappell
1413 Jennifer Roche
1414 Grace M. Wood
1415 Thomas L. Wood
1416 Debra Rose Felber
1417 Kevin Kane
1418 Doreen Kane

1419 Bonne Napel
1420 Kathy Lewellyn
1421 Cindy Lewis
1422 Dorrine Hirt-Ganz
1423 Richard Ganz
1424 Elizabeth Klar-Gross, M.D.
1425 Elio A. Mazella, Jr.
1426 David Walker
1427 Gina Kennedy
1428 Thomas Cassidy
1429 Richard Kradin, M.D.
1430 Chet Joglekar
1431 Jeffrey R. Nurenberg
1432 Barbara Nurenberg
1433 Tracy Cunningham
1434 Ramon Perez
1435 Angela Perez
1436 Laura Lavish
1437 Jim Lavish
1438 Robert DiLauro
1439 Alexander Falkovsky, M.D.
1440 Dennis Goettsch
1441 David Kalayian
1442 Marcia Kalayian
1443 Chris McCoy
1444 Janet Rosenberg
1445 Julie Logsdon
1446 Barry Fuller
1447 Audrey Fuller
1448 Laura Milan
1449 Kelly Sloane
1450 Herbert Besson
1451 Yoram Shalmon

1452 Rachel Shalmon
1453 Christina E. Wakefield
1454 Charles A. McDonald
1455 Vernon Taylor
1456 Anne R. Craig
1457 Norman Hartenstein
1458 Joseph Pallay
1459 James Rumbaugh
1460 Terry Cole
1461 Sherry Kramer
1462 Stephen Gilkenson
1463 Francine Gilkenson
1464 Michelle Rodriguez
1465 Patricia Eisenbeis
1466 Tony Armstrong, Jr.
1467 Carol Freedman
1468 Thomas A. Mellina
1469 Tim Downey
1470 George Masforroll
1471 William Fortunato
1472 Kathleen Severt
1473 Harold Stein
1474 David Spotts
1475 Justine Greenwell
1476 Dawn M. Dauria
1477 Laurie Van Dozelaar
1478 Lori McKee
1479 Chris McKe
1480 Connor McKee
1481 Alexander McKee
1482 Douglas Hanson
1483 Neil Walsh
1484 June Walsh

1485 Paul T. Chan, Esq.
1486 Davya DiLauro
1487 Gerald Vanderstar
1488 Antoinette Vanderstar
1489 Sandra Grunwald
1490 Ernest Gordon DiPuey
1491 Fardin Sanai
1492 Michele Susko
1493 Jane A. Ryan
1494 Nicholas Burbushack
1495 John Mark Oudine
1496 Mike Blasdel
1497 Patricia Post
1498 Marlaine Salafia
1499 Sheldon S. Roach
1500 Debra S. Roach
1501 Robert S. Reiffel
1502 Gabriel Lama
1503 Roberto Lama
1504 Martin Zipern
1505 Curt Rue
1506 Cheryl Rue
1507 Connie rue
1508 Sylvana Muia
1509 States Hines
1510 Joan Lumb
1511 Carol S. Smith
1512 Andrea Georghiou
1513 Loretta D. Georghiou
1514 Peter G. Nordell
1515 Steven Rosenthal
1516 Jane Shedlin
1517 Rochelle Rosenthal

1518 Michael Sedor
1519 Joseph Prezioso
1520 Joanne Guidice
1521 Patricia Ingrao
1522 Dr. John Boyle
1523 Alan Freedman
1524 Bruce Schiff
1525 John Passereini
1526 Gail Stein
1527 Susan Rappaport
1528 Leon Granowitz
1529 TonyVariano
1530 Breda Kellner
1531 Tim Major
1532 Guy Kellner
1533 Kamal Smith
1534 Larry Smith
1535 Marilyn Bullock
1536 Roger Bullock
1537 Caroline A. Adams
1538 Fran Russo
1539 Teresa M. Miller
1540 Pampa Risso-Patron
1541 Jorge San Martin
1542 Helena San Martin
1543 Duane Eldredge
1544 John P. Dougherty
1545
1546 Sylvia Clement
1547 Andrew Mahder
1548 Patty Mahder
1549 Peter Spallino
1550 Roseann Spallino

1551 Charles LaCroix
1552 Laura LoCosa
1553 Robert C. Nevins, Jr., M.D.
1554 John Alcivades
1555 Barbara Dedona
1556 Marcy Burkhead
1557 Steven H. Ressler, M.D.
1558 William Casey
1559 Carol Casey
1560 Silvana Daniel
1561 Ken Yessin
1562 Colleen Langenderfer
1563 Susie Globokar
1564 William Globokar
1565 Dominique Couillard
1566 Caroline Heller
1567 Mark Gold
1568 Cindy Golden
1569 Janice Kidder
1570 Andrew J. Kowalsky
1571 Beth Brady
1572 Thomas L. Mackiewicz
1573 Larry Keyser
1574 Carrie Kincaid
1575 Tad DiOrio
1576 Tom Glaser
1577 Jill Glaser
1578 Lydia Zinzi
1579 Eric C. Hayden
1580 Theresa Thompson
1581 Brad Pace
1582 Vito Colucci
1583 Tina Colucci

1584 Roberto Salazar
1585 Tarra Hegarty
1586 William Contole
1587 Claudette Monette
1588 Bruno Hoffman
1589 Carol L. Bruce
1590 Thomas Bruce
1591 Michael Slosser
1592 Robert Shaw
1593 Paul Saunders
1594 Vicki Saunders
1595 Mary Shaw
1596 Francine Aubut
1597 Joanne Barak
1598 Ronald McAfee
1599 Mark Cohen
1600 Darpan Dhaduk
1601 Alan R. Menzies
1602 Lee Cohen
1603 Andree Robinson
1604 Judith Slan
1605 Lauren Newman
1606 Jylla Tearte
1607 Curtis Tearte
1608 Brian Donnelly
1609 Alan Cohn
1610 Robin Cohn
1611 Anthony Casimano
1612 David Zirin
1613 John Knipsel
1614 Tyra Knispel
1615 John Apisson, M.D.
1616 Pearl Apisson, Esq.

1617 Andrew R. Amicon
1618 Dennis Serenet
1619 Rocco Cicchino
1620 Robert Herz
1621 Louise Herz
1622 Angela Nanke
1623 Kirk Nanke
1624 Smitha Dighe
1625 Shyam Dighe
1626 Marcia Serenet
1627 Bruce Adler
1628 Janet Adler
1629 Elizabeth Santorro
1630 Beth Mellina
1631 Amber Olson
1632 Ross Holland
1633 Lynn Peseckis
1634 Edward
1635 Kari Fleischer
1636 Samantha Mellina
1637 James A. Zimmer, M.D.
1638 Barbara Zimmer
1639 Robin Valentino
1640 Michael Valentino
1641 Eileen Koegler
1642 Edward H. Bastian
1643 Nora M. EganGreen
1644 Laurie Hubbard
1645 Leo William Varner
1646 Edward DiPasquale
1647 Karen DiPasquale
1648 Virginia Filippelli
1649 Linda S. Adams

1650 Terry Boudreaux
1651 Gail Boudreaux
1652 Joe C. Green
1653 Karen Grimes
1654 John C. Kelly
1655 Cynthia O'Rourke
1656 Steven J. Casper
1657 Christine Johnson
1658 Brian Fannon
1659 Jan Fannon
1660 Cynthia G. Biondi
1661 Benny Quattrociocchi
1662 Clint Hubbard
1663 Heidi L. Raichbach
1664 Robert Maggisano, M.D.
1665 Kathleen Maggisano
1666 Michael Di Biase
1667 Teresa Di Biase
1668 Ethel Krim
1669 Connie Kirk
1670 Joy N. Africano
1671 Leonard Klorfine
1672 Norma Klorfine
1673 Katherine Edwards
1674 John Edwards
1675 Neil G. McLean
1676 Cathy Nish
1677 James Nish
1678 Suzanne Citron
1679 Jaime Pfeffer
1680 Gideon Pfeffer
1681 Diane Lovat
1682 Regina Crews

1683 John P. Palazzo
1684 Mark Moser
1685 Gerald A. Slan
1686 Antoinetta Tomassetti
1687 Thomas Legan
1688 Sherrell Legan
1689 Mary Beth Winiarski
1690 Catherine Christiansen
1691 Mark Hurst
1692 Paula Torre
1693 Thomas Fennell
1694 David J. Menker
1695 Robert Harshaw
1696 Becky Fennell
1697 Stephanie Cronk
1698 Mary Giguere
1699 George Giguere
1700 Gary Seasholtz
1701 Sharyn L. Seasholtz
1702 Doug Cronk
1703 Dorothy Redmond
1704 Stephen DeCarlo
1705 William Kirkpatrick
1706 Alex Neumann
1707 Yaqing Liu
1708 Ana Harshaw
1709 Joanne Sargent
1710 Michael Sargent
1711 Steven W. Joseph
1712 Igal Mayer
1713 Jose Gabriel Lievano Vegalarra
1714 Edward Coady
1715 Rona Rosenberg-Friedman

1716 Marilyn D. Pierce	1749 Williams Sumas
1717 Marc Muzzo	1750 Maureen Mulhollnad
1718 Phil DeRe	1751 John Mulholland
1719 Tammy Waddell	1752 Charles Hudson
1720 Herman Alexander	1753 Ziad Kronfol
1721 Francine Alexander	1754 Ekaterina M. Stafford
1722 Young ai Choi	1755 Sidney M. Stafford
1723 Renee Scharf	1756 Gerard Valerius
1724 Carl F. Pompei	1757 Judy Valerius
1725 Bill Haiiharis, DDS, MD.	1758 Yvonne Gross
1726 Patricia Stivaletta	1759 Marilyn J. Magnotti
1727 Linda Donegan	1760 Tammy Iheureux
1728 David Vender	1761 Lewis Wilder
1729 Michael Kaye	1762 Maureen O'Brien
1730 Vivian Creekmore	1763 Tom O'Brien
1731 Mark Fiorini	1764 Nancy Ross
1732 Brenda Znachko, JD	1765 Frenando Benavides
1733 Joan Slosser	1766 William B. Mattle
1734 Alfred Lobo	1767 Annie Nikos
1735 Marlene Casper	1768 Anthony Provanzano
1736 Mark Rosenberg	1769 Elizabeth Brown Ryan
1737 Juliet Chayat	1770 Joseph C. Calabrese
1738 Sherry Shuman	1771 Frank Finelli
1739 Janet Scott	1772 Kathy Finelli
1740 Jim Scott	1773 Carol Ann Cawley Weshnak
1741 Vera G. Irions	1774 Lisa Laube
1742 Ronald Gold	1775 Lou Pompilli
1743 Kyle Choate	1776 Sharman L. Nicholson
1744 Roslyn Diamond	1777 Lisa Jean Perrier
1745 Audley Diamond	1778 Dennis Perrier
1746 Donald McCormick	1779 Robert Baxter
1747 Eileen McCormick	1780 Jackie Davenport
1748 Patti Sumas	1781 Ted Adler

1782 Joe Khoshabe	1815 Madge Shafmaster
1783 Sima Khoshabe	1816 Giofranco Krebe
1784 Charlie Chip Colletti	1817 Pamela K. Cherry
1785 Marla Colletti	1818 Michael K. DeLuke
1786 Rita Hill	1819 Gregory Walker
1787 Barbara Nicolo	1820 Cindy S. Ozog
1788 John J. Nicolo	1821 Suzanne Prete
1789 Charles Sehayik	1822 James Kvedar
1790 Eleanor Laudicina	1823 David P. Sell
1791 Constance Mechas	1824 Socrates Goulakos
1792 Fred May	1825 John Cappellano
1793 Robyn Lewark	1826 Nora Cappellano
1794 Carol Super Gold	1827 Mary Galati
1795 Shari Rosenberg	1828 Joan Wilder
1796 Andrew Rosenberg	1829 Marijane Gregg
1797 Patrick D. Scullin	1830 Peter Newman, MD
1798 Giselle J. Geddes	1831 Laura Naccarato
1799 Andrew McKeon	1832 Mary-Jeane Huber
1800 Bette McKeon	1833 Nita Dry
1801 Michelle Maslak	1834 Todd Dry
1802 Marjorie Mitchell	1835 Austin Dry
1803 Gail Muzzo	1836 Joshua Lee
1804 Marzena Bogdanowitz	1837 Dot Dry
1805 Matthew Kwiatkowski	1838 Mickey Dry
1806 Trudy March	1839 Neeme Jarvi
1807 Victoria Pertiz	1840 Liilia Jarvi
1808 Therese Robieh	1841 Mario PlazaPonte
1809 Cathy Dolente	1842 JC Solomon
1810 Axel Witt	1843 Noelle Partin
1811 Cherly Acton	1844 Roy G. Smith
1812 Edward Acton	1845 Jane B. Broyles
1813 Peter Rocca	1846 Peggy Lindenborn
1814 Tina Rocca	1847 Paul F. Brady, MD

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|------|---|--|----------------------|
| 1848 | Thomas Sasso | 1868 | Alen G. Hansen |
| 1849 | Joanne DeNardo | 1869 | Barbara A. Hansen |
| 1850 | George DeNardo | 1870 | Steve Milovich |
| 1851 | Kimberly Hetrick | 1871 | LeMilovich |
| 1852 | Matt Krebs | 1872 | Richard Ciardiello |
| 1853 | Patricia Hetrick | 1873 | Donald Siok |
| 1854 | Bill Hester | 1874 | Julie Logsdon |
| 1855 | Douglas Johnston, Jr. | 1875 | Joanna Punzone |
| 1856 | Mark Stevens | 1876 | Dennis Gates |
| 1857 | Paul Curci | 1877 | Steven Rappaport |
| 1858 | Annette Curci | 1878 | Ann Krogulski |
| 1859 | Debra J. Bradley | 1879 | Michael Laffer |
| 1860 | Ralph H. Bradley | 1880 | Lawrence Keyser, Jr. |
| 1861 | Frank E. Follari | 1881 | John E. Holland |
| 1862 | Romary Follari | 1882 | Charles MacDonald |
| 1863 | Mary Lawrence | 1883 | Saieda Wilson |
| 1864 | Gay Gershoni | 1884 | Frank Charbonneau |
| 1865 | Andreas Rothe | 1885 | Curt Burkhead |
| 1866 | Hugo Blasutta | 1886 | Ronald M. Hill |
| 1867 | William Fortunato | 1887 | Ronald M. Hil |
| 1888 | City Clerk Anthony: My apologies to those whose names I buttered. This is the | | |
| 1889 | end of the emails that were received in support of the aforementioned petition. | | |
| 1890 | Chairperson Botel: Thank you very much, Madam Clerk. I think you did an | | |
| 1891 | excellent job. And I think we're all very happy that they didn't each take three minutes. | | |
| 1892 | [Chuckles] | | |
| 1893 | Chairperson Botel: | Now, do we have... Is that the end of public comments? | |
| 1894 | City Clerk Anthony: | Yes, Madam... | |
| 1895 | Chairperson Botel: | Thank you. | |
| 1896 | City Clerk Anthony: | ...Chair, Members of the Board. | |
| 1897 | Chairperson Botel: | Do we have any comments from Councilpeople? Or | |
| 1898 | questions from Councilpeople? | | |

1899 **Chair Pro Tem Lawson:** Madam Chair?

1900 **Chairperson Botel:** Mr... Mr. Lawson, and then Mr. McCoy, you're recognized.

1901 **Chair Pro Tem Lawson:** Thank you. Mr. Sirmons, the conflict between the Future Land
 1902 Use and the City's Zoning Map, how can we address this moving forward with other sites
 1903 throughout the City?

1904 **Development Services Director Sirmons:** The, the conflicts arise when we make
 1905 the changes to the Comp Plan and don't get to the next step of combing through the
 1906 Zoning Maps to make sure they're compliant. It's often most common when there's a, a
 1907 sweeping change to the Future Land Use Map saying all such areas are now designated
 1908 as this, that requires a, a second step of going through on a much closer level to..., for
 1909 the, the Zoning Map. So that's what typically happens, or how these types of
 1910 nonconformities take place. To my knowledge so far, we don't have a bunch of these or
 1911 a rampant problem with that around the City, but we certainly can take a look and make
 1912 sure that there isn't any pervasive issues of nonconformity between the Future Land Use
 1913 Map and the Zoning Code. And this particular Ordinance, from my understanding, is one
 1914 of those same situations where the Future Land Use Map was changed and this is back
 1915 in the back in the, in the late '80's I would say, and the next step of the Zoning Map being
 1916 updated just wasn't taken and it just fell through the cracks.

1917 **Chair Pro Tem Lawson:** Okay. Mr. Evans, for the Comprehensive Plan, when can we
 1918 start to review the Comprehensive Plan and look for these anomalies and get these
 1919 corrected so we're not in this position again?

1920 **City Manager Evans:** Director Sirmons, if you can provide a little bit of context with
 1921 respect to the in'..., the review that Staff is ensuing right now, to look at some elements
 1922 that would end up coming back to the Board for recommendations to make modifications.

1923 **Development Services Director Sirmons:** Yes. We are currently working with the
 1924 consultant to address one objection that the state had with a minor amendment that we
 1925 made to the..., that we submitted for our Comprehensive Plan a few years ago. Those
 1926 certain type of amendment to the Comprehensive Plan have to be cleared through the
 1927 state, and when they..., before they approve it, they look through the documents to make
 1928 sure there aren't any major issues. And, they had a objection the last time we sent
 1929 something to them, so we are currently in the process of working with the consultant to
 1930 address a certain element of the coastal flooding element of our Comprehensive Plan.
 1931 So, over the course of the next year, we'll be working to address that particular section of
 1932 the Plan. So, it is limited in scope, but we are in the process of doing some opening of
 1933 the Plan and, and making changes.

1934 **Chair Pro Tem Lawson:** So, with this consultant we're speaking with, it's gonna
 1935 address just that one factor. Are we gonna do an overarching sweep of the Comp Plan,
 1936 or is this just gonna focus on that one piece?

1937 **Development Services Director Sirmons:** So, our, our current focus is focused on
1938 one piece but our long term strategy is to do it progressively, section by section to make
1939 an update.., update, to get the Plan where we want it in the areas that are outdated.

1940 So, as far as what is allocated for this Fiscal Year, we are only looking at that
1941 particular section.

1942 **Chair Pro Tem Lawson:** Okay. If we can get a timeline, what it would look like to get a
1943 completed update because there's no reason that this dais should be in this position.
1944 Even though this is, essentially, just administrative update and housekeeping, it is a
1945 twenty year fix, that's just been sitting there and that we have to take on the responsibility
1946 of fixing. So, if we're gonna fix it, we would not just gonna start with one piece, I wanna
1947 just overall take a look at what the timeline's gonna be to correct all of the anomalies in
1948 our Comprehensive Plan and our Future Land Use.

1949 **Development Services Director Sirmons:** Understood.

1950 **Chair Pro Tem Lawson:** Thank you, Madam Chair.

1951 **Chairperson Botel:** Mr. McCoy, you're recognized.

1952 **Councilperson McCoy:** Thank you, Madam Chair. And, Pro Tem Lawson, I was
1953 gonna say we should take it, similar to how you take an elephant one bite at a time. But,
1954 I was hoping that it's not about solely the Comprehensive Plan, but the City's development
1955 regulations altogether because there are some things that need to correct.

1956 However, one of the things I wanted to ask, the Special Preservation that's being
1957 proposed, is to provide concurrency with.., the special preservation zoning is to provide
1958 concurrency with the Comprehensive Plan, is that accurate, Mr. Sirmons?

1959 **Development Services Director Sirmons:** Correct.

1960 **Councilperson McCoy:** So, absent of us authorizing this Ordinance to amend the
1961 zoning, will there be any special preservation within the City for the sole reasons of
1962 preserving the natural resources that, I guess our City is known for? Obviously, the tourist
1963 destination diving and some of the areas along the Lake Worth Lagoon? Is there any
1964 other special preservation zoning, is what I'm saying?

1965 **Development Services Director Sirmons:** In the Comprehensive Plan, this segment
1966 of the City, these parcels are the only ones designated as Special Preservation. None
1967 exist outside of this.

1968 **Councilperson McCoy:** But, but as far as zoning is concerned?

1969 **Development Services Director Sirmons:** As far as zoning, there are no special
1970 preservation areas. And this Ordinance would create that Zoning District and assign it to
1971 these parcels.

1972 **Councilperson McCoy:** Okay. And, absent of that, there is the overarching
 1973 Comprehensive Plan that prohibits the development of any kind of development in those
 1974 special preservation, but the specific zoning to designate it doesn't exist currently? For
 1975 zoning?

1976 **Development Services Director Sirmons:** Correct. It's only enforced currently...

1977 **Councilperson McCoy:** Through...

1978 **Development Services Director Sirmons:** ...through the...

1979 **Councilperson McCoy:** ...the Comp Plan.

1980 **Development Services Director Sirmons:** ...Comprehensive Plan, not zoning.

1981 **Councilperson McCoy:** Okay. [Pause]. Alright. That's all I have, Madam Chair.

1982 **Chairperson Botel:** Thank you. Anything else? [Pause]. I have a question, Mr.
 1983 Sirmons, just for my own edification and understanding. If it were to come to pass that
 1984 we did not pass this Ordinance this evening, what are the things that can happen as a
 1985 result of that? From, from the Staff's perspective?

1986 **Development Services Director Sirmons:** From Staff, it continues potential
 1987 confusion. Any landowner, or future landowner for that matter, if anyone out there right
 1988 now decides to sell their property, someone could market that property as zoned as
 1989 residential. And, someone could buy it thinking that they could develop it residentially.
 1990 And then, we..., my Staff and my Department would have to come to them and explain the
 1991 levels of Ordinances and why although it says here you can build a house, it also..., we
 1992 also have a document here that says you can't. So that type of confusion we want to
 1993 avoid and we don't... Of course, the, the onus is on the purchaser to do all of their
 1994 research but, again, it creates confusion when we have [inaudible] conflicting documents.
 1995 So, that does become an issue for Staff. Also, our Comprehensive Plan does state that
 1996 we will go forth, after approval of that Plan, and make our government regulations
 1997 consistent with that document so [inaudible] previously approved Ordinance related to
 1998 land development. But then, there are some state..., [stammer] there's a state
 1999 requirement that they be consistent, and I believe there are some enforcement
 2000 mechanisms that the, that the state can use [inaudible]. But, I do know Mr. Bauman is
 2001 more versed on..., with those kind of legal actions the state can take [inaudible].

2002 **Chairperson Botel:** Thank you. Mr. Bauman, could you address that, please?

2003 **Mr. A. Bauman:** At the...

2004 **Chairperson Botel:** Yes. If...

2005 **Mr. A. Bauman:** ...microphone?

2006 **Chairperson Botel:** ...you don't mind. Sure. [Pause]. I think you can take your
2007 mic off., your mask off while you're at the mic.

2008 **Mr. A. Bauman:** Okay.

2009 **Chairperson Botel:** Thank you.

2010 **Mr. A. Bauman:** Can you hear me?

2011 **Chairperson Botel:** Yes.

2012 **Mr. A. Bauman:** Okay. Andrew Bauman from the law firm of Lewis, Longman
2013 &Walker.

2014 In response to what Mr. Sirmons referenced, Florida statute 163.3202 states that
2015 the Land Development Regulations, which include the zoning code and zoning
2016 designations, must be brought up to consistency with the Comprehensive Plan every time
2017 the Comprehensive Plan is amended. In the event that they are not, the Department of
2018 Economic Opportunities, which is formerly the Department of Community Affairs, State of
2019 Florida, which approves your Comprehensive Plans, has the ability to make a
2020 determination that you have not carried this forward and file an action circuit court against
2021 the City of Riviera Beach to compel them to take the action required by statute.

2022 In this case, we have a Comprehensive Plan that designates something a certain
2023 way and allows certain specified uses, and then we have a Zoning Code that says
2024 something different and specifies different uses. The more troubling issue for the
2025 Department of Community Affairs, however, will be that the Comprehensive Plan, in the
2026 same section, I believe it's 1.8, is., states in there that additionally that the City was to,
2027 by 2010, adopt Land Development Regulations to implement this section. Prior City
2028 Commissions did not get that accomplished and that's why it's in front of you today.

2029 **Chairperson Botel:** Okay. Thank you very much. Any other questions or
2030 comments?

2031 **Councilperson Lanier:** Madam Chair?

2032 **Chairperson Botel:** Yes. Thank you.

2033 [Inaudible comments]

2034 **Councilperson Lanier:** So, the attorney is saying that that means that the City, if it's
2035 not passed, the City can be sued as well. By the state.

2036 **Mr. A. Bauman:** That is correct, ma'am.

2037 **Councilperson Lanier:** Okay.

2038 **Chairperson Botel:** Anything else? Madam Clerk.

2039 **City Clerk Anthony:** Councilperson McCoy?

2040 **Councilperson McCoy:** Yes.

2041 **City Clerk Anthony:** Councilperson Miller-Anderson?

2042 **Councilperson Miller-Anderson:** Yes.

2043 **City Clerk Anthony:** Councilperson Lanier?

2044 **Councilperson Lanier:** Yes.

2045 **City Clerk Anthony:** Pro Tem Lawson?

2046 **Chair Pro Tem Lawson:** Yes.

2047 **City Clerk Anthony:** Chair Botel?

2048 **Chairperson Botel:** Yes.

2049 **City Clerk Anthony:** Unanimous vote. Madam Chair, Members of the Board, it is
 2050 now 8:04, and it's time for public comment, general public comment.

2051 **Chairperson Botel:** Thank you, Madam Clerk.

2052 **City Clerk Anthony:** Madam Chair, if you would please read the statement into the
 2053 record. Thank you.

2054 **Chairperson Botel:** [Chuckle]. Wake up. Thank you. Sorry.

2055 **City Clerk Anthony:** Okay. No problem.

2056 **Chairperson Botel:** Sorry.

2057 [Inaudible comment]

2058 **City Clerk Anthony:** Not quite.

2059 **Councilperson McCoy:** Almost.

2060 **Chairperson Botel:** Sorry.

2061 **COMMENTS FROM THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS**
 2062 **(Three Minute Limitation)**

2063 **Chairperson Botel:** PLEASE BE REMINDED THAT CITY COUNCIL HAS
 2064 ADOPTED RULES OF DECORUM GOVERNING PUBLIC COMMENT DURING
 2065 OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE FRONT DESK. IN AN
 2066 EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO,

2067 THE COUNCIL CHAIR MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE
2068 REMOVED FROM THE PODIUM, FROM THE MEETING, AND/OR THE BUILDING, IF
2069 NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY. PUBLIC
2070 COMMENT SHALL BEGIN AT 7:30 P.M., UNLESS THERE IS NO FURTHER
2071 BUSINESS OF THE CITY COUNCIL WHICH, IN THAT EVENT, IT SHALL BEGIN
2072 SOONER. IN ADDITION, IF AN ITEM IS BEING CONSIDERED AT 7:30 P.M., THEN
2073 COMMENTS FROM THE PUBLIC SHALL BEING IMMEDIATELY AFTER THE ITEM
2074 HAS BEEN CONCLUDED.

2075 ANY PERSON WHO WOULD LIKE TO SPEAK DURING PUBLIC COMMENTS,
2076 PLEASE FILL OUT A PUBLIC COMMENT CARD LOCATED OUTSIDE IN THE HALL
2077 AND GIVE IT TO THE STAFF BEFORE THE PUBLIC COMMENT SECTION IS
2078 ANNOUNCED.

2079 **City Clerk Anthony:** Madam Chair, the acceptance of public comment cards is now
2080 closed. Fane Lozman, Lloyd Brown, J.B. Dixon.

2081 **Mr. F. Lozman:** Fane Lozman. I saw Mr. Bauman give a fist bump to the..., fist bump
2082 to the City Attorney. Already the City spent over \$40,000 with Lewis, Longman & Walker
2083 trying to get rid of Taylor and Scott.

2084 You know, one of the disappointing things, Ms. Miller-Anderson, is that the City did
2085 not disclose that Governor Rubin asked you..., Governor Askew was the 37th Governor of
2086 Florida, he served eight years. Dan Taylor's father, he passed away, Luke Taylor. He
2087 was an attorney, and he litigated the property in the lagoon, and he came up..., and he
2088 beat Governor Askew. The court ruled that the land could be filled in. And Governor
2089 Askew took that all the way to the Florida Supreme Court, and Governor Askew lost. So,
2090 one of the disappointing things that, that Bauman didn't bother to disclose, that for the
2091 last thirty years or forty years, this has been litigated. Okay? So the zoning was always
2092 in place, and what the City did, is they didn't want to abide by the Supreme Court in Askew
2093 v. Taylor, okay? They didn't wanna abide by the ruling in Palm Beach Isles v. the City,
2094 so this is just continuing being litigated. And Lewis, Longman & Walker is looking forward
2095 to it 'cause they're gonna bill another million or \$2MM.

2096 So the point is, the zoning was in place first, and then the City, years ago, said,
2097 'Well, let's get around these court orders by changing the Comprehensive Plan to Special
2098 Preservation. But it comes down to the equal protection. Why was McCoy and Botel
2099 and Lanier served notice that they're gonna be in a federal Civil Rights lawsuit? For the
2100 equal protection argument. This Board, a couple years ago, let Kolter fill in wetlands. But
2101 they're not letting us fill 'em in, even though we have a case history, that you were not
2102 educated on. If they said here's the Governor Askew versus Dan Taylor's case, and that
2103 was case, let's see, I don't think I have the case number in front of me, but if they had
2104 given you the case number and walked through the litigation history, nobody..., no one
2105 bothered to walk through the litigation history. Right now, it's being litigated for the new
2106 property owners adjacent to Taylor's saying that that case applies to everybody. That's
2107 an open litigation now. Did the City Attorney bother to say, 'Hey, is the Palm Beach Isles
2108 case being litigation again to add these new defendants? Is the..., Is Taylor's case being

2109 added again?' They didn't tell you the truth. They didn't tell you about the prior litigation
2110 that's been going on for fifty years. The zoning was there first and the Comp Plan
2111 matched it. Then they changed the Comp Plan. What you guys should've done is had a
2112 Comp Plan amendment to allow that property be developed. Now all of you have exposed
2113 yourself to [chuckle] liability, you're all gonna be sued for equal protection in a Civil Rights
2114 lawsuit five months from now. Number two, you're not gonna win this case. At the end
2115 of the day, you've exposed the westside for hundreds of millions of dollars. Why would
2116 you do that? That is so stupid, because you wanted to listen to Botel who, who..., October
2117 23rd is going before the Ethics...

2118 **Chairperson Botel:** Thank you...

2119 **Mr. F. Lozman:** ...Board...

2120 **Chairperson Botel:** ...Mr. Lozman.

2121 **Mr. F. Lozman:** ...in Tallahassee?

2122 **Chairperson Botel:** Your time is up.

2123 **Mr. F. Lozman:** With a criminal attorney?

2124 **Chairperson Botel:** Thank you. Thank you.

2125 **Mr. F. Lozman:** That's who you're...

2126 [Gavel]

2127 **Mr. F. Lozman:** ...gonna listen to?

2128 **Chairperson Botel:** Your time is up, Mr. Lozman.

2129 [Timer]

2130 **Mr. F. Lozman:** Botel is a disgrace.

2131 **Chairperson Botel:** Mr. Lozman...

2132 **Mr. F. Lozman:** Don't listen to...

2133 **Chairperson Botel:** ...please remove...

2134 **Mr. F. Lozman:** ...her, man.

2135 **Chairperson Botel:** ...yourself from the podium. Thank you.

2136 **Mr. F. Lozman:** You've exposed yourself and the westside to hundreds of millions of
2137 dollars. Unbelievable.

2138 [Chuckles]

2139 **City Clerk Anthony:** Lloyd Brown, J.B. Dixon.

2140 **Mr. L. Brown:** How ya doin'? I grew a beard waiting on my turn to come up.
2141 [Chuckles] And, you know, it's a shame. I don't know if it's legal or not, I don't know what
2142 the lady was ta'.., calling these names for. None of 'em I knew. But all I can say is, it, it
2143 doesn't seem to be fair that an individual can come to this.., don't even have to come to
2144 the meeting, but can run off a group of names, as many as... 'Cause I tell you a whole
2145 lot of people who told me things to tell you now. I, I.., but I'm on time. I'm on the time
2146 limit. I don't know what the situation is or what it was about it, but I don't think it's legal.
2147 Or, if it is, you're gonna have to put it down in paperwork and show me where it's legal.
2148 This, this person talked for, I mean, I don't know how many names. And I was waiting on
2149 the 'and', and that was the last one. I coulda went to McDonalds in Jupiter and got back,
2150 by this time. And I don't think it's fair. Even to Lozman. Like, you, you, you.., I know
2151 when it's up I'm gonna have to sit down but let me get right to my point.

2152 Code Enforcement told me that I had a trailer in my yard. I got pictures of tractor
2153 trailers in the yard. But, you know what? That's like two people going down 95.., I don't
2154 have grass, so okay. I'm in a new car and you're in an old car, so when the sheriff pull'
2155 me over, he said, 'Well, you got a new car, I'm just gonna let you go ahead on and run
2156 the speed limit.' This the Code Enforcement. I'm, I'm, I'm, like, parable, you know,
2157 between the sheriff department pulling somebody over with a new car and pulling
2158 somebody over with a old car. So the old car, he get all the tickets. That's me. The man
2159 with the grass in his yard, he could back a 'effin' tractor trailer up in the back of his yard
2160 and nobody said nothin'. And then on Blue Heron and Obama, right down the street from
2161 15th Street, that's where the Code Enforcement at. I know they ride through there every
2162 day and they don't see that? And for people who live around there, I'll go on strike. Say,
2163 'Forget you people in the Code Enforcement.. You don't be'.., you're not fair.'

2164 And then let me tell you another thing about black politicians. You want us to vote,
2165 right? When my mother and them were voting, things were done for them, things were
2166 being done in communities for people back then. Now, I mean, I don't know what it is.
2167 Either the educated fool are the [chuckle] ones that are running our City, or people who
2168 don't have common sense, or people who don't be in the City because you know what?
2169 When they had a mandate, I couldn't understand this, and I know these people that are
2170 up here on this Council go to these stores, they had a mandate in Palm Beach County
2171 saying that you had to have masks on when you go in these buildings, every store in my
2172 neighborhood. I know these people go into them, so they can't say that. And I know
2173 you're gonna cut me off. So, I don't know how in the hell you walk in these stores and we
2174 got this stuff going on, and you didn't say a damn thing about it. And then, you know if
2175 you look in here, you don't see a majority of the people in here because a lotta people
2176 don't know about it. So what you think about this virtual thing you have on the air? It
2177 didn't work.

2178 [Time]

2179 **Mr. L. Brown:** I bet not ten percent of the people know what the hell was going on
2180 'cause I don't know anything about getting on the computer, let me tell ya. I done messed
2181 up my...

2182 **Chairperson Botel:** Thank you, Mr. Brown.

2183 **Mr. L. Brown:** ...phone several times. I got...

2184 **Chairperson Botel:** Thank you...

2185 **Mr. L. Brown:** ...all kinda spyware...

2186 **Chairperson Botel:** Thank you, Mr. Brown.

2187 **Mr. L. Brown:** ...and whatever.

2188 **Chairperson Botel:** Thank you.

2189 **City Clerk Anthony:** J.B. Dixon.

2190 **Ms. J.B. Dixon:** I just briefly, excuse me, would like to explain what Mr. Lozman refers
2191 to as these criminal charges against Dr. Botel. For somebody who has been in office as
2192 long as she has, these seem to be the only two things that someone can use to accuse
2193 her of, and has already accused her of on a county level, in which it was dismissed, and
2194 now is going to the state in Tallahassee. The same complaints. What are those
2195 complaints? Those complaints are that, as a newly elected Councilwoman, when she
2196 founded a foundation called Friends of the Riviera Beach Schools, which is a charity for
2197 Riviera Beach school children, she gave..., when she was asked for the address of the
2198 foundation, she had not yet gotten a P.O. Box or anything, she gave her office address.
2199 Consequently, two pieces of mail, two pieces of mail, were delivered to a charity, to a
2200 501(c)(3) to help children at her Council office. That truly must be horrible.

2201 The second thing that she is accused of is that she made thirty copies, personal
2202 copies on a City copy machine, which she then immediately went up and said I had to
2203 make thee personal copies and I'm paying for them. And she paid for them. So, if that
2204 is what [chuckle] somebody wants to call corrupt and criminal, I think [chuckle] that that's,
2205 you know, a fabulous thing, that after spending all of this time in office, that that's the only
2206 thing that someone can find to accuse you of.

2207 Thank you.

2208 **City Clerk Anthony:** Madam Chair, Members of the Board, that concludes our
2209 public comments.

2210 **Chairperson Botel:** Thank you.

2211 **8. Chairperson Botel:** Item No. 8.

2212 **City Clerk Anthony:** ORDINANCE NUMBER 4153 AN ORDINANCE OF THE
2213 CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,
2214 FLORIDA, TO BE ENTITLED "RIVIERA BEACH CIVIL RIGHTS ORDINANCE";
2215 PROVIDING FOR NON-DISCRIMINATION WITHIN THE CITY AND ALL OTHER
2216 ACTIVITIES PROMOTED OR SPONSORED BY THE CITY OF RIVIERA BEACH;
2217 PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR
2218 SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

2219 **DAWN WYNN, CITY ATTORNEY, 561-845-4069**

2220 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have any
2221 public comments on this Item. The acceptance of public comments on this Item is now
2222 closed.

2223 **Chairperson Botel:** Thank you. Would someone care to make a motion to
2224 approve?

2225 **Councilperson Miller-Anderson:** So moved.

2226 **Chairperson Botel:** Thank you.

2227 **Chair Pro Tem Lawson:** Second.

2228 **Chairperson Botel:** Thank you. Do we have a presentation, Ms. Wynn?

2229 **City Attorney Wynn:** Madam Chair, just briefly. You all considered this at your
2230 September 16th meeting. This is an Ordinance requested by the Human Rights Council,
2231 entitled The Riviera Beach Civil Rights Ordinance. It's a non'.., it really just creates a
2232 nondiscrimination policy within the City. And this is the second and final reading for
2233 passage and adoption of this Ordinance.

2234 **Chairperson Botel:** Thank you.

2235 **City Attorney Wynn:** If you have any questions, I'd be happy to an'.., answer them.

2236 **Chairperson Botel:** Thank you. Mr. McCoy, you're recognized.

2237 **Councilperson McCoy:** Thank you. Question for.., question for the Attorney, and
2238 perhaps even the Clerk. If this is sponsored by the Human Rights Council, why do we
2239 have it entitled in the Resolution as sponsored by the City of Riviera Beach. If a specific
2240 Member chooses to bring it forward, I'd much rather see that.

2241 But again, you know, I, I, I shared some concerns that I didn't think that this
2242 Resolution was.., I, I understand what it.., the intent is, but I think that he focus is so
2243 narrow that I don't wanna make it seem that we're specifically encompassing a, a certain
2244 protection and excluding others. But, just from what you're explanation was, Ms. Wynn,
2245 this was presented by the Human Rights Council not the City of Riviera Beach, so if you
2246 have a specific Member that you wanna identify...

2247 **City Attorney Wynn:** Yes. Yes.

2248 **Councilperson McCoy:** ...I think that's more...

2249 **City Attorney Wynn:** Mhmm.

2250 **Councilperson McCoy:** ...appropriate to be held in the Resolution title then to say that
2251 this is an expression...

2252 **City Attorney Wynn:** Mhmm.

2253 **Councilperson McCoy:** ...or even not even an expression, a Ordinance from the City
2254 of Riviera Beach, so I would offer an amendment to correct that.

2255 **City Attorney Wynn:** You're correct, Mr., Mr. McCoy. Mr. Lawson, at the request
2256 of the Human Rights Council, as well as Dr. Botel, requested that this be placed on the
2257 Agenda.

2258 **Councilperson McCoy:** Okay. So, would that be appropriate to have that Resolution
2259 title amended to reflect...

2260 **City Attorney Wynn:** The Ordinance title doesn't reflect the Human Rights Council
2261 at all. So, you would be...

2262 **Councilperson McCoy:** And that's...

2263 **City Attorney Wynn:** ...voting on the Ordinance title as read by the Clerk.

2264 **Councilperson McCoy:** Well, I'm saying, the, the title that she read, it said it's
2265 sponsored by the City of Riviera Beach.

2266 **City Attorney Wynn:** And it is. It was at the request of Mr. Lawson and Dr. Botel.

2267 **Councilperson McCoy:** Right. But, similar to how you would sponsor a bill in the
2268 legislature, or even in Capital Hill, it's sponsored by a specific member, but this is not an
2269 embodiment that we sought to go out and bring this to the Attorneys to draft. This was
2270 done by someone lobbying Members of the Council.

2271 **City Attorney Wynn:** Right.

2272 **Councilperson McCoy:** So, you know...

2273 **City Attorney Wynn:** But then Members of the Council requested that it be drafted,
2274 and so it was drafted at their request.

2275 **Councilperson McCoy:** So when I...

2276 **City Attorney Wynn:** I would...

2277 **Councilperson McCoy:** ...get...

2278 **City Attorney Wynn:** I would not have bought this..., brought this forward to you at
 2279 the request of the Human Rights Council without a Councilperson asking for it.

2280 **Councilperson McCoy:** And my only thing is, why wouldn't a Councilperson be
 2281 afforded that opportunity, similar to how you hear political ads, 'I sponsored the bill, I co-
 2282 sponsored this legislation.' Why wouldn't that be appropriate in this matter?

2283 **City Attorney Wynn:** Mr. Lawson did that at the last meeting, and then Dr. Botel...

2284 **Councilperson McCoy:** But I'm saying...

2285 **City Attorney Wynn:** ...chimed in after and said that she also requested it.

2286 **Councilperson McCoy:** But my concern is, why wouldn't that be appropriate to be read
 2287 in the Resolution title in that fashion?

2288 **City Attorney Wynn:** It's not appropriate for an Ordinance title.

2289 **Councilperson McCoy:** To say that it's...

2290 **City Attorney Wynn:** To be...

2291 **Councilperson McCoy:** ...sponsored by...

2292 **City Attorney Wynn:** Correct. Not in the title of the Ordinance to be codified in the
 2293 Code, no.

2294 **Councilperson McCoy:** Okay.

2295 **City Attorney Wynn:** No, sir.

2296 **Councilperson McCoy:** Okay. Alright. Good enough. I just.., you know, it seems very
 2297 unusual to say sponsored by, when generally in every other legislative body, when you
 2298 say sponsored by, it 's generally associated with a individual member of that body.
 2299 Correct?

2300 **City Attorney Wynn:** Yes, I understand. And I, I was in error when I said 'sponsored
 2301 by' during my description. And I clarified that.

2302 **Councilperson McCoy:** Okay. Alright. Good enough. No, amendment needed.

2303 **Chairperson Botel:** Thank you. Any other questions or comments? Madam
 2304 Clerk.

2305 **City Clerk Anthony:** Councilperson Miller-Anderson?

2306 **Councilperson Miller-Anderson:** Yes.

2307 **City Clerk Anthony:** Councilperson Lanier?

2308 **Councilperson Lanier:** Yes.

2309 **City Clerk Anthony:** Councilperson McCoy?

2310 **Councilperson McCoy:** Yes.

2311 **City Clerk Anthony:** Pro Tem Lawson?

2312 **Chair Pro Tem Lawson:** Yes.

2313 **City Clerk Anthony:** Chair Botel?

2314 **Chairperson Botel:** Yes.

2315 **City Clerk Anthony:** Unanimous vote.

2316 **ORDINANCES ON FIRST READING**

2317 **ITEMS TABLED**

2318 **REGULAR**

2319 **9. Chairperson Botel:** Item No. 9.

2320 **City Clerk Anthony:** **RESOLUTION NUMBER 77-20 A RESOLUTION OF THE**
2321 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
2322 **FLORIDA, APPROVING THE MANAGEMENT INCENTIVE PACKAGE FOR FISCAL**
2323 **YEAR 2020-2021, PROVIDING FOR SEVERABILITY; AND PROVIDING AN**
2324 **EFFECTIVE DATE.**

2325 **EUREKA YOUNG, INTERIM HUMAN RESOURCES DIRECTOR, 561-840-4880**

2326 **City Clerk Anthony:** Madam Chair and Members of the Board, we do not have any
2327 public comments on this Item. The acceptance of public comments on this Item is now
2328 closed.

2329 **Chairperson Botel:** Thank you. Ms. Young, you have a presentation?

2330 **Councilperson Miller-Anderson:** So moved.

2331 **City Clerk Anthony:** Madam Chair, please....

2332 **Chairperson Botel:** Sorry, sorry. I heard a so moved and a second.

2333 **City Clerk Anthony:** I didn't hear a second.

2334 **Councilperson Miller-Anderson:** Second.

2335 **Unk.:** I think that motion...

2336 **City Clerk Anthony:** Who made the motion?

2337 **Councilperson Miller-Anderson:** I said mo'..., I move... So moved. I don't know...

2338 **Chairperson Botel:** I thought I heard a second.

2339 **City Clerk Anthony:** And the second came from?

2340 **Chairperson Botel:** Didn't hear a second?

2341 **Councilperson Lanier:** Second.

2342 **Chairperson Botel:** Okay. Thank you.

2343 **City Clerk Anthony:** Thank you.

2344 [Chuckles]

2345 **Chairperson Botel:** It comes from above. From above.

2346 [Chuckles]

2347 **Interim Human Resources Director Young:** Good evening, Council.

2348 **Councilperson Miller-Anderson:** I can't hear.

2349 **Chairperson Botel:** [Stammer]. I think you could take your mask off just for the
 2350 purposes of presentation. I mean, you're, you're the only one up there. So.

2351 **Interim Human Resources Director Young:** Eureka Young. Depar'...

2352 **Chairperson Botel:** Could you move the microphone closer to your mouth?

2353 **Interim Human Resources Director Young:** Eureka Young, Department of Human
 2354 Resources.

2355 [Inaudible comment]

2356 **Chairperson Botel:** It's a little faint but...

2357 **Interim Human Resources Director Young:** This is a.., this Resolution is for you to
 2358 approve the revisions to the City's management incentive package. Effective March the
 2359 20th, 2020, the City Manager cancelled vacation for all the City employees, that had an
 2360 impact on the annual vacation buyback program. The buyback program requires the use
 2361 of forty vacation hours in order for participation. This Resolution removes the forty hours
 2362 of vacation usage requirement. This Resolution also adds language that pro rates the
 2363 allotment of personal time off to managerial employees at hire or transfer.

2364 Are there any questions?

2365 **Chairperson Botel:** Mr. McCoy, you're recognized.

2366 **Councilperson McCoy:** Thank you, Madam Chair. So, I guess I'm not understanding
2367 exactly the.., what you're saying seems inconsistent. You said this Resolution removes
2368 forty hours of vacation usage requirement. So that basically means that it can rollover?

2369 **Interim Human Resources Director Young:** No. For.., to, to participate in the annual
2370 buyback, there was a requirement that managerial staff must use at.., the minimum of
2371 forty hours of vacation. Because of the pandemic, all vacation was, was cancelled. No
2372 one was able to use any vacation. So, what this Resolution is doing is removing the
2373 requirement of having to use the forty hours of vacation.

2374 **Councilperson McCoy:** I'm, I'm really confused. You said the Manager cancelled.
2375 Correct?

2376 **Interim Human Resources Director Young:** Yes.

2377 **Councilperson McCoy:** So why, if the Manager cancelled, now this is now an action
2378 of the body to now reimplement something.

2379 **City Manager Evans:** Madam...

2380 **Councilperson McCoy:** Because...

2381 **City Manager Evans:** ...Chair, if I may? The...

2382 **Councilperson McCoy:** Mr. Evans. Mr. Evans, excuse me. I wanna make sure that I
2383 understand this from Ms. Irving, and I would love for you to respond but I'm really trying
2384 to get somewhere, so if you can just bear with me for a moment?

2385 So Ms. Irving, if this was a policy that was done, at the Manager's level, why is it
2386 incumbent upon the City's Council Members to now involve ourselves in the action?

2387 **Interim Human Resources Director Young:** The requirement of the forty hours of
2388 vacation was not in the last Resolution, which was done last fiscal year. And that was a
2389 requirement that we have, that the employees, in order to participate in the buyback
2390 program, they must have used, spent, taken, five days, forty hours of their vacation time
2391 in order to participate in the City's buyback program. The buyback program is something
2392 that all employees, all regular employees, have participated in. However, management
2393 employees, there was a requirement that they use [inaudible] vacation, in order to
2394 participate in the buyback program.

2395 The requirement of.., not requirement.., the Manager.., the City Manager,
2396 cancelling vacation was not done by, by your action, it was a direction from him. But that
2397 still did not.., it still did not remove the requirement that employees take the forty hours of

2398 vacation. That is the reason we're here now, to remove the requirement for employees
2399 to take forty hours of vacation.

2400 **Councilperson McCoy:** Okay. Thank you, Ms. Irving.

2401 **Chairperson Botel:** Thank you. Mr. Evans, did you wanna add anything?

2402 **City Manager Evans:** Couldn't have said it any better.

2403 **Chairperson Botel:** Thank you.

2404 **Councilperson McCoy:** Okay. Well, great. I got some questions.

2405 **Chairperson Botel:** Go ahead.

2406 **Councilperson Lanier:** Madam Ch'...

2407 **Chairperson Botel:** Go ahead.

2408 **Councilperson McCoy:** So, the Resolution that's in front of us, and the memo, don't
2409 speak to exactly how many employees and what management. Because it actually refers
2410 to something different that I've not seen before. I think seen tier 1 and tier 2, which I'm
2411 sorry, I'm not familiar with. I have not heard that terminology. So, can you speak that?

2412 **Interim Human Resources Director Young:** Okay. The tier program that's in...
2413 We've had the tiers for two years now. Tier 1 program are our Directors and Assistant
2414 Directors. Tier 2 are other managerial administrative employees.

2415 **Councilperson McCoy:** Okay. The Resolution, I guess, this is called the Resolution
2416 Agenda Item summary doesn't speak to any fiscal impact. This normally, if it's just the
2417 wash, wouldn't require one but we're adding back something that was not already in the...,
2418 that was done in '18, '19, then I would imagine there's some fiscal impact.

2419 **City Manager Evans:** Madam Chair? If I may? The fiscal impact will only be
2420 experienced if individuals choose to sell their vacation time or their sick time. So, we
2421 won't know the fiscal impact until the infor'..., the forms are administered, and then those
2422 things are turned back into HR and Finance for the purposes of calculating.

2423 The other side of it is, and Ms. Young, correct me if I'm [stammer] wrong, other
2424 collective bargaining units, in the event that vacations are cancelled as a result of a
2425 directive by Administration, they are still eligible to effectively be compensated for that
2426 time because it was a, a management decision.

2427 As it relates to the management incentive program, that is not contemplated. So,
2428 if the Resolution does not change, effectively what happens is, the employees would not
2429 get the opportunity to sell back any unused vacation or sick time, because they were
2430 unable to utilize the forty hours that's stipulated in the Resolution.

2431 **Councilperson McCoy:** Follow up.

2432 **Chairperson Botel:** Go ahead.

2433 **Councilperson McCoy:** Is there a specific period of the fiscal year that, Mr. Evans or
2434 Mr. Sherman, when that buyback has to, or when it can occur?

2435 **City Manager Evans:** It, it occurs..., the forms are sent out, I believe, in October. And
2436 then, the release of payment occurs, I believe, towards the middle of December.

2437 **Interim Human Resources Director Young:** That's correct.

2438 **Councilperson McCoy:** Do we know how many, approximately? Or just a rough
2439 ballpark amount?

2440 **Interim Human Resources Director Young:** It's hard to tell how many employees will
2441 participate in buyback.

2442 **Councilperson McCoy:** Well, I guess in that... You said, this affects managers and
2443 assistants, and then others. So we don't..., I mean, I guess...

2444 **Interim Human Resources Director Young:** The parti'...

2445 **Councilperson McCoy:** ...it could be anybody. It could be any...

2446 **Interim Human Resources Director Young:** Participation...

2447 **Councilperson McCoy:** ...of the...

2448 **Interim Human Resources Director Young:** ...is purely voluntary. It's not something
2449 that..., it's, it's a choice.

2450 **Councilperson McCoy:** Okay. And, you know, I guess, Mr. Evans, and this will be
2451 probably my, not my last question, second to last question. This was done during the
2452 administrative actions you took during the pandemic process?

2453 **City Manager Evans:** That is correct, Councilman.

2454 **Councilperson McCoy:** Okay. And one of the concerns that we've kinda experienced
2455 during that pandemic process was, there was this consideration that we were giving
2456 employees something that no other city throughout the state was doing. And that
2457 particularly concerns me that, while you may think that it's a good gesture, but if we tell
2458 them that they can't take vacation time, it's almost like..., I don't know how you can give
2459 on one hand and take on the other and seem to suggest that that was a benefit to our
2460 employees. You know? So, it..., this is..., more than what we've experienced when it
2461 comes to personnel time and days off, but just reading it was not how I understood it when
2462 it was presented up on this, on this presentation.

2463 But that's all I have. Thank you, Ms. Irving and Mr. Evans.

2464 **Chairperson Botel:** Thank you. Anything else?

2465 **Councilperson Lanier:** Madam Chair, could I see that chart again?

2466 **Chairperson Botel:** That chart? I don't... Was there a chart?

2467 **Interim Human Resources Director Young:** [Inaudible].

2468 **Councilperson Lanier:** The...

2469 **Chairperson Botel:** The only, the only screen we have up here is Resolution 77-
2470 20, management incentive.

2471 **Councilperson Lanier:** See if there was a chart that she put up. There wasn't, there
2472 wasn't a chart that she put up?

2473 **Chairperson Botel:** No. It was four bullet points that spoke to the Manager's
2474 cancelling the vacation, the annual vacation buyback requiring the use of forty vacation
2475 days for participation. This Resolution removes...

2476 **Councilperson Lanier:** Yeah but.., yeah. But, but it was on the screen, it said forty
2477 vacation days. Do they mean forty hours or forty vacation days?

2478 **Interim Human Resources Director Young:** Oh, that's forty vacation hours.

2479 **Chairperson Botel:** Hours. It [stammer].., it should say hours.

2480 **Interim Human Resources Director Young:** It should say hours.

2481 **Chairperson Botel:** Sorry.

2482 **Councilperson Lanier:** Okay.

2483 **Councilperson McCoy:** Actually, no. That's not what in the Agenda summary. It says
2484 forty days, for tier 1 employees, twenty days for tier 2 employees.

2485 **Interim Human Resources Director Young:** And that's scrivener's error. It's forty
2486 hours.

2487 **Councilperson McCoy:** Well, I move we table this. Because, if, if that's true, I'm
2488 looking at the Agenda summary and I would hope that that's not in the Resolution.

2489 **Chairperson Botel:** Yeah. Let's look at it carefully.

2490 **Councilperson McCoy:** It is different in the Agenda Resolution.

2491 **City Attorney Wynn:** Hours, correct?

2492 **Councilperson McCoy:** It says fifteen days in the Resolution, for tier 1 employees.

2493 **City Attorney Wynn:** Mhmm.

2494 **Councilperson McCoy:** Or actually, no, I'm sorry. The maximum rollover rate for
 2495 personal time should be forty days for tier 1 employees, twenty days for tier 2 employees,
 2496 with no option for payout.

2497 **City Attorney Wynn:** Correct. It states...

2498 **Chair Pro Tem Lawson:** [Inaudible].

2499 **Chairperson Botel:** The use of five days...

2500 **Councilperson Miller-Anderson:** [Stammer]...

2501 **Chairperson Botel:** ...or forty hours of vacation time.

2502 **Councilperson Miller-Anderson:** [Inaudible].

2503 **Councilperson McCoy:** Move, move to table.

2504 **Councilperson Miller-Anderson:** Madam Chair?

2505 **Interim Human Resources Director Young:** There are...

2506 **Chairperson Botel:** Yes?

2507 **Councilperson Miller-Anderson:** I'm still raising my hand from virtual but...

2508 [Chuckles]

2509 **Councilperson Miller-Anderson:** The backup, it says... It says tier 1 employees
 2510 fifteen days of personal time off, [inaudible]. Am I looking at the wrong thing?

2511 **Interim Human Resources Director Young:** Okay. There is..., the management
 2512 incentive package deals with two issues. The one issue that we want to address here is
 2513 the forty hour requirement. The management [stammer] incentive package, gives
 2514 managerial employees additional days off. And that was done two years ago when we
 2515 were also at a time to where employees were having various requirements of spending
 2516 additional time in the City. And we were also faced with issues with recruitment. And so,
 2517 at that time, we created the incentive package with Council's approval, to give managerial
 2518 employees additional days for time off. That time is 'use it or lose it', with the exception
 2519 of we allowed it to rollover, with no additional buyout.

2520 The requirements for the vacation..., participation in the, in the buyback, is a
 2521 separate issue. And that was also addressed. That is addressed in this Resolution. The
 2522 incentive package has the PTO time, which gives managerial employees fifteen days for
 2523 department heads and assistants, ten days for the managerial employees. That time, we
 2524 capped it with a limitation of rollover. That day'..., those days are not subject to

2525 participation in the buyback, those days are not subject to any payout at termination or
2526 separation from the City. As., whereas, vacation and sick days are subject to payout.

2527 **Chairperson Botel:** Go ahead.

2528 **Councilperson McCoy:** So, this covers... I'm sorry. So this would cover members
2529 and employees in the collective bargaining unions as well?

2530 **Interim Human Resources Director Young:** No. Collective bargaining have their own
2531 agreement for vacation buyback.

2532 **Councilperson McCoy:** So...

2533 **Interim Human Resources Director Young:** And...

2534 **Councilperson McCoy:** Go ahead.

2535 **Interim Human Resources Director Young:** During the course of the pandemic,
2536 collective bargaining employees were given additional days for time off.

2537 **Councilperson McCoy:** So, oh. I... So, specifically... Oh gosh. I know ya'll are
2538 probably not gonna like me 'cause I like to bring up pandemic pay but...

2539 **Chairperson Botel:** [Chuckle].

2540 **Councilperson McCoy:** ...elect somebody else because I think it's so important to
2541 bring this issue up at this point, that we specifically said that collective bargaining union
2542 employees could not receive anything outside of their collective bargaining agreement.
2543 Let me finish. The exempt employees were those that were able to take time and a half
2544 from the very first hour that they worked. Now, on top of that, we're allowing these
2545 individuals to participate in getting buyback as well for the hours that they were not able
2546 to use when they were already getting time and a half? Is that what I'm hearing? [Pause].
2547 Because that., I mean, I don't know if that's double dipping, it almost seems like
2548 quadruple dipping at this point. I, you know, this is really becoming more convoluted and
2549 I would like a little bit more explanation because it seems to be that the memo, the
2550 Resolution and the Agenda summary does not clearly spell out where we are and, for us,
2551 I know that we have four collective bargaining unions. That means we have less
2552 employees in management level, in tier 1 and tier 2, so I would estimate no more than
2553 seventy-five. And I'm just guessing, but you know, those are the same individuals that
2554 took the time and a half payment. And, are we now extending the buyback period for
2555 that? For those individuals as well? When they were already additionally incentivized for
2556 pandemic pay? [Pause].

2557 I yield back and if everybody's., when everyone is done, I wanna offer a motion to
2558 table.

2559 **Chairperson Botel:** Okay. Anything from any... Anything? Ms. Miller-Anderson,
2560 any questions?

2561 **Councilperson Miller-Anderson:** [Inaudible].

2562 **Chairperson Botel:** My, my concern... Excuse me. My concern is, I don't see
 2563 anything about that.... Sorry. I'm pointing through my thing. I don't see anything about
 2564 that in any of the backup. It doesn't seem to be speaking the same language to me.
 2565 You've got something up here about the vacation day buyback, but this..., in the backup
 2566 and summary, all we have is this management incentive plan. It doesn't even mention
 2567 anything that you've talked about here. Am I, am I missing something, Mr...

2568 **Councilperson Miller-Anderson:** Well it... It, it is, at the bottom of the summary,
 2569 I think, but it says the forty days. It doesn't say forty hours.

2570 **Councilperson McCoy:** Can we bring this back?

2571 **City Attorney Wynn:** I think it doesn't... If I can..., and, you can correct me if I'm
 2572 wrong, Ms. Young. I think it doesn't mention it because what it does, is deletes that
 2573 requirement, that you see up here, from the Resolution.

2574 **Chairperson Botel:** Okay. That's..., it's not clear. That's my concern. It's just not
 2575 clear what we are..., what we're doing. And I, I think Mr. McCoy was about to make a, a
 2576 motion and I'd like to hear what he has to say.

2577 **Councilperson McCoy:** Right. And then too, I guess I wanna know who this
 2578 encompasses because, you know, it's, you know, it's quite difficult to make these
 2579 decisions. And, you know, Members, I wanna call your attention to when we were in one
 2580 of our first collective bargaining agreement discussions, when we were surprised..., well,
 2581 at least I was, to find out that in some situations, because of our resolved collective
 2582 bargaining agreement, we had employees that we were spending more in benefits than
 2583 actually in salaries. You know, more in the vacation time, more in the healthcare benefits,
 2584 more in the pension, then they were actually receiving in their actual salary. So, I wanna
 2585 make sure that we have a good understanding. And, yeah, I guess the enacting cause
 2586 of this, is this going..., this, this wouldn't be applied retroactive, would it, Mr. Sherman?
 2587 Well, I guess October, it would be. Right?

2588 **Finance and Administrative Services Director Sherman:** [Inaudible].

2589 **City Attorney Wynn:** Is it being applied retroactively?

2590 **Councilperson McCoy:** So they would... [Pause]. Because I, I was told that the
 2591 buyback starts in October.

2592 **City Attorney Wynn:** December. Right? Or October?

2593 **Interim Human Resources Director Young:** The buyback is covering the last fiscal
 2594 year, through...

2595 **Councilperson McCoy:** The Fiscal Year '20, that just ended?

2596 **Interim Human Resources Director Young:** Yes.

2597 **Councilperson McCoy:** Okay. So, well, I guess it would cover what has already
 2598 occurred. Oh, well you know what? It seems to be that we need to kinda hash this out a
 2599 little further.

2600 **Interim Human Resources Director Young:** Participation in the buyback is from
 2601 October to September.

2602 **Councilperson McCoy:** But from the prior fiscal year.

2603 **Interim Human Resources Director Young:** The prior year.

2604 **Councilperson McCoy:** So, I guess, it wouldn't hurt if we kinda had this to come back?
 2605 Unless somebody objects.

2606 **Chairperson Botel:** Are you making... Would you like to make a...

2607 **Councilperson McCoy:** I, I....

2608 **Chairperson Botel:** ...motion to table?

2609 **Councilperson McCoy:** I move to temporarily postpone because I don't wanna put it
 2610 on the table to appear back on the next Agenda, but I want a, kinda, more thorough
 2611 explanation. So, move to temporarily postpone.

2612 **Chairperson Botel:** Would someone care to second that?

2613 **Chair Pro Tem Lawson:** Second.

2614 **Chairperson Botel:** Thank you.

2615 **Councilperson Lanier:** Second.

2616 **Chairperson Botel:** Thank you. Madam Clerk.

2617 **City Clerk Anthony:** Councilperson Lanier?

2618 **Councilperson Lanier:** Yes.

2619 **City Clerk Anthony:** Councilperson McCoy?

2620 **Councilperson McCoy:** Yes.

2621 **City Clerk Anthony:** Councilperson Miller-Anderson?

2622 **Councilperson Miller-Anderson:** Yes.

2623 **City Clerk Anthony:** Pro Tem Lawson?

2624 **Chair Pro Tem Lawson:** Yes.

2625 **City Clerk Anthony:** Chair Botel?

2626 **Chairperson Botel:** Yes.

2627 **City Clerk Anthony:** Unanimous vote.

2628 **10. Chairperson Botel:** Item No. 10.

2629 **City Clerk Anthony:** **RESOLUTION NUMBER 81-20 A RESOLUTION OF THE**
 2630 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
 2631 **FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE**
 2632 **AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND PALM BEACH**
 2633 **COUNTY TO ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN THE**
 2634 **AMOUNT OF \$558,334.00 FROM PALM BEACH COUNTY FOR FISCAL YEAR 2020-**
 2635 **2021 FOR THE RECONSTRUCTION OF 35TH STREET FROM AVENUE "H" TO**
 2636 **AVENUE "F"; AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE**
 2637 **SERVICES TO ESTABLISH PROJECT ACCOUNT 21001 AND PROVIDING AN**
 2638 **EFFECTIVE DATE.**

2639 **TERRENCE BAILY, PUBLIC WORKS DIRECTOR, 561-845-4080**

2640 **City Clerk Anthony:** Madam Chair, Members of the Board. We have public
 2641 comment on this Item. The acceptance of public comments on this Item is now closed.

2642 **Councilperson Miller-Anderson:** So moved.

2643 **Councilperson McCoy:** Second.

2644 **Chair Pro Tem Lawson:** Second.

2645 **Chairperson Botel:** Thank you. Let's have the presen'..., the public presentation
 2646 and then public comments. Thank you. [Inaudible]. Mr. Bailey.

2647 **Interim Public Works Director Bailey:** Good evening, Mayor and Council.

2648 This is the City's annual allotment from Palm Beach County for the CDBG grant
 2649 program. As you can see, this year we intend to reconstruct 35th Street, between Avenue
 2650 H and Avenue F. There's a schedule provided in the backup and anticipate construction
 2651 in the first quarter of 2021. This year, our grant amount was \$558,334.00.

2652 And with that, I'll take any questions.

2653 **Chairperson Botel:** Thank you. Any questions? Mr. McCoy, you're recognized.

2654 **Councilperson McCoy:** Thank you. Mr. Bailey, good to see you as always. I just
 2655 wanted to point out that the map does not intersect with Avenue H and Avenue F. It's in

2656 between. But the Resolution suggests from Avenue H to Avenue F. So, I know that's
2657 really minor, but I looked at the map.

2658 But the other real question I have, is there any underground utilities being done or
2659 is this just top surface?

2660 **Interim Public Works Director Bailey:** No, sir. It is water, sewer, drainage, asphalt,
2661 curb, gutter and sidewalks. A full restoration of the roadway.

2662 **Councilperson McCoy:** So, underground utilities?

2663 **Interim Public Works Director Bailey:** Yes, sir.

2664 **Councilperson McCoy:** Okay. Thank you.

2665 **Councilperson Miller-Anderson:** Madam Chair?

2666 **Chairperson Botel:** Yes. You're recognized.

2667 **Councilperson Miller-Anderson:** I'm very happy any activity is taking place in
2668 my...

2669 **Chairperson Botel:** [Chuckle].

2670 **Councilperson Miller-Anderson:** ...District, but just help me remember as to why
2671 we're doing this street, as opposed to other streets? Is there a serious concern with this
2672 street?

2673 **Interim Public Works Director Bailey:** Well, you'll recall, in the last round of bond
2674 funding, we did Avenue H East, Avenue H West and 34th Street.

2675 **Councilperson Miller-Anderson:** Mhmm.

2676 **Interim Public Works Director Bailey:** And, Ms. Bessie Brown...

2677 **Councilperson Miller-Anderson:** I know.

2678 **Interim Public Works Director Bailey:** ...who was at many a meeting.

2679 **Councilperson Miller-Anderson:** Mhmm.

2680 **Interim Public Works Director Bailey:** And I assured her she was next, as soon as we
2681 got to doing some of the smaller minor streets, because hers was left off in that sort of
2682 run that we did. So, this is the next street in that area. And, as promised to Ms. Brown,
2683 she was next, and it was in need in order to finish that sort of connective tissue for 34th
2684 Street where it loops around.

2685 **Councilperson Miller-Anderson:** So, what about the other loop on the south side,
2686 from 34th... How..., I mean, why thirty'..., why that one other than Ms. Brown? I understand
2687 Ms. Brown requested it.

2688 **Chairperson Botel:** [Chuckle].

2689 **Councilperson Miller-Anderson:** But, you do know I have a few other people that
2690 ask about 20th Street all the time. So, I know that's further away, but the same concern
2691 is there, that that street hasn't been done either. So, how does that curve [pause] such
2692 a priority over..., even the one that's south of 34th? There's another one that, if you pull
2693 the map up, I can't think of the name.

2694 **Councilperson McCoy:** 33rd.

2695 **Councilperson Miller-Anderson:** 33rd?

2696 **Councilperson McCoy:** Mhmm.

2697 **Chairperson Botel:** Yeah.

2698 **Councilperson Miller-Anderson:** Okay.

2699 **Chairperson Botel:** [Inaudible].

2700 **Councilperson Miller-Anderson:** So, how, how, how do we leave 33rd out and,
2701 and do thirty'...

2702 **Interim Public Works Director Bailey:** Well typically, we, we have a limited amount of
2703 funding. So, we generally try to anticipate anywhere from six hundred to a million dollars
2704 a year for road. This project comes in right at about a million, so that's all we can do in
2705 this Fiscal Year. So, if you look..., during the budget, in the five-year capital plan, all the
2706 roads are laid out for the next five years that we anticipate doing. That does presume
2707 that we'll have enough funding to fully fund all the road construction. So this was laid out
2708 in the budget process, in the five year capital plan.

2709 **Councilperson Miller-Anderson:** But what criteria process was put in place to pick
2710 that street though? That I, I'm not clear on. Because I have other residents, like the one
2711 where the seawall is on..., off of..., just south of Blue Heron, was it 25th Street? East 25th
2712 Street?

2713 **Interim Public Works Director Bailey:** Yes.

2714 **Councilperson Miller-Anderson:** Where it floods, and they've been having quite
2715 a few problems with the high tide. So, and I know that one I was told, would not be in the
2716 works for another two or three years. And so, I'm just trying to..., how do we, how do we
2717 determine what streets are in need?

2718 **Interim Public Works Director Bailey:** About six years..., six or seven years ago now,
2719 we had done a payment analysis study, which helped us create a larger capital program.
2720 Remember, before we got [inaudible], when we did the analysis to see where we needed
2721 the investment the most, for the most part, we were following that plan. It's probably due
2722 in the next two years for an update, since it'll be over ten years old, but we followed the
2723 plan from the payment analysis as best as possible.

2724 **Councilperson Miller-Anderson:** So, you're saying that 35th Street, in the
2725 analysis, that 35th Street was one of the high priorities, based on whatever formula was
2726 in place?

2727 **Interim Public Works Director Bailey:** I, I believe so. But again, it's been probably a
2728 year since we've looked picking this street as the next street. Obviously, because we had
2729 already done Avenue H East and H West, and then 34th Street, we left stuff out at other
2730 future improving, so we wanna continue and finish that segment, so we can then move to
2731 another area in that general region. For infrastructure.

2732 **Councilperson Miller-Anderson:** I still am not clear on how that one was picked,
2733 is my concern. Because, I have a lot of residents that feel that their street needs to be
2734 redone. And some I know... Like, I mentioned before about the flooding that happens,
2735 not even when it's raining. They send pictures about their street flooding because of high
2736 tide. And then also, I have the people that complain about the 20th Street, with the pot'...,
2737 well, not even just potholes, just it hasn't been done in a while. So, I just want to make
2738 sure, on record, that you are saying that the 35th Street is being done because it wasn't...,
2739 an analysis was done for it and it was a high priority that we followed, and not that it was
2740 just because of a person requesting their street to be done. Because if that's the case,
2741 we're gonna have numerous people asking why isn't their street being done. Which they
2742 already do. So, I just wanna be able to say this is why we are doing this. And I'm pretty
2743 confident, and I know you're pretty confident, in saying that the reason why we're doing
2744 this particular street is because there was something in place to say that this street
2745 needed to be done. Because I don't want it to be very similar to how people are
2746 complaining about certain...

2747 **Councilperson McCoy:** [Clears throat].

2748 **Councilperson Miller-Anderson:** ...lighting done on certain streets.

2749 **Councilperson McCoy:** Oh, okay.

2750 **Councilperson Miller-Anderson:** I'm not talking about your lights.

2751 [Chuckles]

2752 **Councilperson Miller-Anderson:** So, I just wanna make sure that that's..., that we
2753 can go to something in black and white to, to make the residents understand that we just
2754 did not randomly pick a street to do.

2755 **Interim Public Works Director Bailey:** I'll go back into the payment analysis and grab
2756 the [inaudible] and provide you a copy, and memorandum to follow through the Manager's
2757 office.

2758 **Councilperson Miller-Anderson:** Thank you so much.

2759 **Councilperson McCoy:** Follow up.

2760 **Chairperson Botel:** Go ahead, Mr. McCoy.

2761 **Councilperson McCoy:** I, I would like to see that. And not only that, this backup
2762 doesn't contain any design information. And I don't wanna be surprised because, you
2763 know, I kinda took some shots relative to some street designs and, you know, how do we
2764 figure out that, because that's not contained. We're authorizing the expenditure but what
2765 does the design look like? And I'm more or less...

2766 **Interim Public Works Director Bailey:** This Resolution is authorizing execution of the
2767 grant agreement so we can send it back to Palm Beach County to get the bonds. It
2768 probably is in design right now. It is sub'., substantively similar to what's there now.
2769 Right now, there's about twenty-four, twenty-five feet of asphalt, a swale and the
2770 sidewalks are out on the edge of the right-of-way, next to the [Inaudible] Homes. And
2771 that is, to the most part, how it will stay. When we build the road, we will be putting in
2772 curbing gutter. There will be a grass strip behind it, and then the sidewalks will be
2773 replaced because they're only four feet wide right now and they'll go up to the new., the
2774 standard of five-foot wide sidewalks on that road.

2775 **Councilperson McCoy:** Right. And so, that is so perfect that the gentlewoman from
2776 the 2nd District. Like, that is important. Like, so now, if we're expanding sidewalks, we
2777 need to have a conversation with the community. Right? Because that means
2778 somebody's gonna lose some property somewhere.

2779 **Chairperson Botel:** Right.

2780 **Interim Public Works Director Bailey:** No, sir. It will expand in toward the road, in the
2781 right-of-way. So we have, we have plenty of roadway...

2782 **Councilperson McCoy:** Well...

2783 **Interim Public Works Director Bailey:** ...to do all that work...

2784 **Councilperson McCoy:** Sir?

2785 **Interim Public Works Director Bailey:** ...inside the road.

2786 **Councilperson McCoy:** But, but even still, right, when you look at a resident's property
2787 on the property map, it extends to the sidewalk. But more or less, even the area on the
2788 other side of the sidewalk, on the City side, belongs to the resident because they're
2789 responsible for the maintenance. I just don't want people to be surprised. Like, what

2790 happened in Monroe Heights. And I'll tell you, it's just a simple communication and
2791 conversation is, 'This is the plan that that's being proposed.' You know, if we send them
2792 a mailout and nobody responds, then I'm alright with that, but we got hit really hard in
2793 Monroe Heights. Not only that, the gentlewoman and I from H Avenue East and West,
2794 still are getting hit regarding the bicycle lanes and, you know, that's.., that's going on H
2795 Avenue.

2796 So, I just really wanna make sure that, you know, we're not being.., we're, we're
2797 doing this in a silo, a vacuum, that, you know, we decide what' best for the residents and
2798 then when they find out the plan and the construction crew is already out there building,
2799 as opposed to say, 'Hey, here's a notice. This is what's proposed. Public Works
2800 telephone number for comments or questions is,' you know, 'x, y, and z.'

2801 **Interim Public Works Director Bailey:** Yes, sir. We will put that out. I believe the next
2802 submittal from the consultant is probably four or five weeks away and I'll have a.., I think
2803 we're in the eighty to ninety percent plan range. It's not too late to make any deviations
2804 that re necessary and we can hold a, a community, a public meeting in reference to the
2805 budgeting, to bring the community up to speed on the design elements.

2806 **Councilperson Miller-Anderson:** That'll be good.

2807 **Chair Pro Tem Lawson:** Mhmm.

2808 **Chairperson Botel:** That would be great.

2809 **Chair Pro Tem Lawson:** Madam Chair?

2810 **Chairperson Botel:** Thank you. Anything else?

2811 **Chair Pro Tem Lawson:** Yes.

2812 **Chairperson Botel:** Mr. Lawson.

2813 **Chair Pro Tem Lawson:** Thank you. And, that was actually exactly my question and
2814 wanting to see if you could provide a complete outline of the steps after we received and
2815 approved this grant tonight. I know we're just approving the acceptance of this community
2816 grant but an outline what are the next steps gonna be once the funds come in so the
2817 community can be aware so that we don't have the same issues that we've had in the
2818 other sections of the City. Specific District. So, what we wanna do is just get an outline
2819 so that Council can be aware and that the residents can be updated as well. So, that
2820 notice and update to the residents is a perfect representation of what we wanna offer for
2821 the two-way communication.

2822 Thank you, Mr. Bailey.

2823 **Chairperson Botel:** Anything else? Madam Clerk.

2824 **City Clerk Anthony:** Councilperson McCoy?

2825 **Councilperson McCoy:** Yes.

2826 **City Clerk Anthony:** Councilperson Miller-Anderson?

2827 **Councilperson Miller-Anderson:** Yes.

2828 **City Clerk Anthony:** Councilperson Lanier?

2829 **Councilperson Lanier:** Yes.

2830 **City Clerk Anthony:** Pro Tem Lawson?

2831 **Chair Pro Tem Lawson:** Yes.

2832 **City Clerk Anthony:** Chair Botel?

2833 **Chairperson Botel:** Yes.

2834 **City Clerk Anthony:** Unanimous vote.

2835 **Councilperson McCoy:** Madam Chair.

2836 **Chairperson Botel:** Yes. You're recognized.

2837 **Councilperson McCoy:** So, relevant but not really, I wanna ask Mr. Bailey questions
 2838 regarding speed bumps. I would.., I don't wanna do this now. I wanna... Mr. Bailey,
 2839 you'll be around at the end of the meeting? Well, can I just have him for two minutes?

2840 **Chairperson Botel:** That's fine.

2841 **Councilperson McCoy:** So, I didn't see...

2842 **Chairperson Botel:** I don't think anybody would object to giving you two minutes...

2843 **Councilperson McCoy:** Welll...

2844 **Chairperson Botel:** ...Mr. McCoy.

2845 **Councilperson McCoy:** ...I guess, I don't know, the gentlewoman from the 2nd Di'... I
 2846 don't know if speeds bumps are there, but this concurrency of Palm Beach County, I just
 2847 wanna know, is that something that's gonna be contemplated on 35th Street? Speed
 2848 bumps? 'Cause I don't know if there's...

2849 **Councilperson Miller-Anderson:** It's not that...

2850 **Councilperson McCoy:** They're not there already?

2851 **Councilperson Miller-Anderson:** ...busy. No.

2852 **Interim Public Works Director Bailey:** [Inaudible].

2853 **Councilperson Miller-Anderson:** It's just...

2854 **Interim Public Works Director Bailey:** I don't believe there's a speed bump on that
2855 street right now.

2856 **Councilperson Miller-Anderson:** No.

2857 **Councilperson McCoy:** Okay. But there money set aside in 2020's budget for speed
2858 bumps. I don't know if they were in 2021, but I got a recent request, and I believe petitions,
2859 to have speed bumps installed. And I have not heard anything, but we do have funds in
2860 2021's budget for speed bumps, correct?

2861 **Interim Public Works Director Bailey:** We have a..., we had a line item for traffic
2862 calming, not speed bumps.

2863 **Councilperson McCoy:** Well...

2864 **Interim Public Works Director Bailey:** Traffic calming in the broadest sense. It could
2865 be..., there are a number of methods to achieve traffic calming. There is a traffic calming
2866 application process that you're familiar with.

2867 **Councilperson McCoy:** Mhmm.

2868 **Interim Public Works Director Bailey:** So, traditionally, most people request a speed
2869 bump, but a speed bump is not always the appropriate answer to...

2870 **Councilperson McCoy:** Okay.

2871 **Interim Public Works Director Bailey:** ...address the traffic concern in every situation.
2872 So, the funding source is called traffic calming...

2873 **Councilperson McCoy:** Okay. Good enough.

2874 **Interim Public Works Director Bailey:** ...and it does exist.

2875 **Councilperson McCoy:** Good enough. I just wanted to make sure it was there this
2876 year, 'cause I just got a request maybe within the last couple weeks. Thanks.

2877 **Chairperson Botel:** Thank you. Mr. Bailey, is that application on the City's
2878 website?

2879 **Interim Public Works Director Bailey:** Yes, ma'am. If you...

2880 **Chairperson Botel:** Okay.

2881 **Interim Public Works Director Bailey:** ...if residents go to the Public Works website...

2882 **Chairperson Botel:** Okay.

2883 **Interim Public Works Director Bailey:** ...it's right there on the right, about four slots...
 2884 four titles down.

2885 **Chairperson Botel:** Great.

2886 **Interim Public Works Director Bailey:** And it's called traffic calming policy and
 2887 application.

2888 **Chairperson Botel:** Great. 'Cause I've also had requests. Thank you. Anything
 2889 else? Madam Clerk.

2890 **Councilperson McCoy:** We already voted.

2891 **Councilperson Miller-Anderson:** We already voted.

2892 **Chairperson Botel:** Okay. [Chuckle].

2893 **Councilperson McCoy:** Thanks.

2894 **Chairperson Botel:** See, you...

2895 **Councilperson McCoy:** I, I just didn't....

2896 **Chairperson Botel:** ...threw me off, Mr. McCoy.

2897 **Councilperson McCoy:** He, he looked like he wanted to head out of the door so I, you
 2898 know, I, I...

2899 **Councilperson Miller-Anderson:** Now he doesn't...

2900 **Councilperson McCoy:** ...wanted to be...

2901 **Councilperson Miller-Anderson:** ...look like he wants to leave.

2902 **Chairperson Botel:** Now, you can't rid of him. Alright.

2903 **11. Chairperson Botel:** Item 11. I think we're on 11, right? Yes. Yes.

2904 **City Clerk Anthony:** **RESOLUTION NUMBER 86-20 A RESOLUTION OF THE**
 2905 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
 2906 **FLORIDA, AWARDED BID NO. 996-20-1 TO BROTHERS' CONSTRUCTION, INC. OF**
 2907 **STUART, FLORIDA TO RECONSTRUCT THE BRIDGES IN PALM BEACH ISLES IN**
 2908 **THE AMOUNT OF \$4,039,405.00; AUTHORIZING THE MAYOR AND CITY CLERK TO**
 2909 **EXECUTE THE CONTRACT; AUTHORIZING THE CITY MANAGER TO APPROVE**
 2910 **CHANGE ORDERS UP TO TEN PERCENT (10%); AUTHORIZING THE DIRECTOR OF**
 2911 **FINANCE AND ADMINISTRATIVE SERVICES TO MAKE TRANSFERS FROM**
 2912 **PROJECTS 18152 IN THE AMOUNT OF 450,000.00, 21015 IN THE AMOUNT OF**

2913 **\$705,959.25, 18094 IN THE AMOUNT OF \$516,960.00 TO PROJECT 18097 AND TO**
2914 **MAKE PAYMENT FOR SAME FROM PROJECT NUMBER 18097; AND PROVIDING**
2915 **AN EFFECTIVE DATE.**

2916 **TERRENCE BAILEY, INTERIM PUBLIC WORKS DIRECTOR, 561-845-4080**

2917 **City Clerk Anthony:** Madam Chair, Members of the Board, we have public
2918 comment on this Item. The acceptance of public comment on this Item is now closed.

2919 **Councilperson McCoy:** So moved.

2920 **Chairperson Botel:** Do we have...

2921 **Councilperson Miller-Anderson:** Second.

2922 **Chairperson Botel:** ...a sec'... Thank you. Mr. Bailey.

2923 **Interim Public Works Director Bailey:** Yes. This project is a long time coming,
2924 approximately six to eight years to be exact. I would like to thank the Manager and you,
2925 [inaudible] your patience on this project.

2926 As you know, Palm Beach Isles, it was in dire need of replacement of the six
2927 bridges that lead over to the Island. It was determined about five years ago that the...
2928 we're coming to the end of their useful life. We began the design process and while I
2929 understand five years is a long time, please understand that there Johnson's seagrasses
2930 underneath the bridges, there are endangered species and we just, about four or five
2931 weeks ago, received our permit from the Army Corp of Engineers. It took all of that time
2932 in order to do investigation, litigation and nature of the impact those endangered species
2933 as little as possible.

2934 **Councilperson McCoy:** Can't hear you, Mr. Bailey.

2935 **Interim Public Works Director Bailey:** [Inaudible].

2936 **Councilperson McCoy:** Can you speak up or maybe your battery is dead.

2937 **Councilperson Miller-Anderson:** Mhmm. Can we find out?

2938 **Interim Public Works Director Bailey:** [Inaudible].

2939 **Chairperson Botel:** Yeah. I [inaudible]...

2940 [Chuckles]

2941 [Pause]

2942 **Chairperson Botel:** Oh, I can.., that's better already. Thank you, Walter.

2943 **Interim Public Works Director Bailey:** And with that, I'll take any questions.

2944 [Chuckles]

2945 **Councilperson Miller-Anderson:** Yeah, right. [Inaudible].

2946 **Chairperson Botel:** Any questions for...

2947 **Councilperson McCoy:** Public comments.

2948 **Councilperson Miller-Anderson:** [Inaudible].

2949 **Chairperson Botel:** Mr. Lawson, none? Public comment, Madam Chair'..., Madam
2950 Clerk.

2951 **City Clerk Anthony:** Fane Lozman.

2952 **Mr. F. Lozman:** Fane Lozman. Why don't the five of you just give all the City to
2953 Singer Island? \$4,000,000? Do you know the story behind those islands? Why don't we
2954 talk about that. Those islands were formed by being filled in from a TIFF deed from 1924.
2955 So, that, that..., what do they call that? Palm Beach Islands? Palm Beach Isles? Palm
2956 Beach Isles... Real smug, Ms. Botel, I'm glad you're having a good time. Palm Beach
2957 Isles was part of a TIFF deed that the state sold in 1924. That also included our property
2958 in the lagoon area. So they filled it in, and they have an HOA. Okay? You don't see no
2959 black residents walking down that island, I guarantee it. Okay? A developer filled it in
2960 and built it and platted it for single family homes. Let them go ahead and pay..., and pay
2961 for the bridges. \$4,000,000. Let the HOA pay for it. You know, what you guys don't
2962 understand, is we are gonna fill in our property 'cause we don't need a City permit, we
2963 need a permit from DEP. We're gonna fill in our property. And you know we're gonna
2964 build a road. We're gonna pay for it. The City isn't gonna pay for it. Okay? The same
2965 thing with Palm Beach Isles, why is the City taxpayers paying for their bridges? Let them
2966 pay for it. They got a HOA, [inaudible] private development. The City didn't pay to fill in
2967 that property, the Palm Beach Isles developer paid to fill it in.

2968 What is wrong with you guys? What's wrong with you, Ms. Anderson? Is this just
2969 a big giveaway to the..., from the westside? Do you know how many hundreds of millions
2970 of dollars is coming down in, in liability from your stupid vote tonight? And this is just
2971 another example. Do you care about anything? I mean, who got to you guys? It's
2972 unbelievable. Has anybody bothered to ask a question, 'Well, how was Palm Beach Isles
2973 formed? Who paid for it?' Did you look at the plat? Did he put up the plat for Palm Beach
2974 Isles? I mean, it's unbelievable. You're like a bunch of little sheep. Whatever Botel says,
2975 'Okay, Botel, we'll vote however you want. We'll do this, we'll do that. You guys are
2976 clueless. At least Lawson, as a businessman, should have some kind of a clue what's
2977 going on. Lawson was given a tour of our property a week ago. Ms. Miller-Anderson was
2978 given a tour three years ago, and, and Evans came out three years go. And they..., all
2979 three of them said it should be developed. And now, 'cause Botel says, 'Oh please, let's
2980 get in a giant lawsuit for the next three or four years.' She'll be gone. She'll probably be
2981 in jail by then for what's going on.

2982 Hey, how..., who's your criminal attorney that's going on the 23rd to Tallahassee
2983 with you, Botel? Yeah. To State Ethics Board. Oh yeah. They called me up and invited
2984 me if I wanna go there. Yeah. Running a business outta your City Hall office, we'll see
2985 how far you get.

2986 The bottom line is, I wanna know how Palm Beach Isles was formed. I wanna see
2987 a plat of it, I wanna see the deed. I wanna know why the westside residents, and myself,
2988 are paying for anything on that island. That's..., that is nonsense. But go right ahead. Go
2989 ahead and just give all the money. You're gonna all learn a, a hard lesson. Listening to
2990 Botel [inaudible]...

2991 **Chairperson Botel:** Thank you, Mr. Lozman. Your time...

2992 **Mr. F. Lozman:** ...that led you down a bad...

2993 **Chairperson Botel:** ...has expired.

2994 **Mr. F. Lozman:** ...path, guys.

2995 [Timer]

2996 **Chairperson Botel:** Thank you...

2997 [Timer]

2998 **Mr. F. Lozman:** You'll find out.

2999 **Chairperson Botel:** ...Mr. Lozman.

3000 **Chair Pro Tem Lawson:** Madam Chair?

3001 **Chairperson Botel:** Yes. Go ahead, Mr. Lawson.

3002 **Chair Pro Tem Lawson:** Thank you. Mr. Bailey, looking at the RFP that went out...,
3003 posted May 25th, bids received June 25th. Tell me a little bit about the MBE/WMBE
3004 participation.

3005 **Mr. F. Lozman:** Ms. Pemsel. [Inaudible]. Ms. Pemsel, our Purchasing Director, will
3006 be able to provide you information on that.

3007 **Councilperson McCoy:** Go to the podium, Ms. Pemsel. [Stammer]...

3008 [Inaudible discussions]

3009 **Procurement Director Pemsel:** Good evening, Mayor and Council...

3010 **Chairperson Botel:** Good evening.

3011 **Procurement Director Pemsel:** ...Administration.

3012 As., for this particular solicitation, we had twenty-one [inaudible] holders. We
3013 received five proposals from Brothers', Continental, Kelley, Lambert and Vecellio.
3014 Brothers' is the company that is the lowest most responsible bidder. We did a outreach
3015 specifically for this for., on the 28th of September. We didn't get much of a response, but
3016 we're holding another outreach on the 20th of October. Currently, for the type of work,
3017 there's 7.1 percent in MBE that's going to be awarded already. We hope to increase that
3018 number with the participation., in anticipation of our 20th of October meeting, where we
3019 are having another outreach program. We didn't have any success with getting anyone
3020 to come to the table the first time, which is why we're trying it a second time.

3021 **Chair Pro Tem Lawson:** Okay. So, Ms. Pemsel, there's 7.1 percent of MBE?

3022 **Procurement Director Pemsel:** It is 7.1 percent of small business.

3023 **Chair Pro Tem Lawson:** So, SBE.

3024 **Procurement Director Pemsel:** Mhmm.

3025 **Chair Pro Tem Lawson:** Okay. Where do we stand with the, the hiring of out consultant
3026 and the work that was done with Mr. Lee?

3027 **Procurement Director Pemsel:** We have already engaged Mr. Lee under contract, and
3028 we have had two meeting already, and we're having a third meeting on Thursday to look
3029 at the data, to see exactly what else is needed to be added. In our first meeting, we sh'.,
3030 I showed him our software systems and I showed him some data that we were able to get
3031 out of the Tyler System, and gave him a copy of the Procurement Code for him to review.
3032 So tomorrow, we'll be reviewing some elements of the Procurement Code, looking at the
3033 commodity codes and how we can do end to end information. So, we're in, in the process.

3034 **Chair Pro Tem Lawson:** Okay. So, it just seems like we've been doing a lot of
3035 meetings when it comes to Mr. Lee, and I don't wanna see any additional RFP's coming
3036 before us that haven't had his hands or eyes on this, to make sure that we're actually
3037 getting the maximum exposure for MBE and WMBE programs. Because, I saw the
3038 marketing that we did recently, and...

3039 [Inaudible background discussion]

3040 **Councilperson McCoy:** It doesn't.

3041 **Chair Pro Tem Lawson:** ...I'm not sure how much exposure got to our residents
3042 because there was little marketing done on that. I saw the flyer that went out and did not
3043 go out the way that it needed to. And with him being the consultant to give the exposure
3044 to these businesses, and small businesses, in regards to responding to the RFP's,
3045 partnering with these organizations and getting properly trained and certified, those are
3046 things that we need to implore our residents to do.

3047 [Inaudible background discussion]

3048 **Chair Pro Tem Lawson:** So, I'm not okay with 7.1 percent of this \$4,000,000 project
3049 going to MBE and WMBE programs, because the minimum we need to be looking at with
3050 a disparity study is twenty-five percent, to thirty percent. That's with the study in place.
3051 That's why we failed as leaders in the community with implementing a disparity study that
3052 should be already done. So, what we're going to push for and I'm hoping that I can get
3053 the support from my colleagues, which they've been getting, is to get this done. But just
3054 to continue to meet with Mr. Lee is not acceptable. We need to implement action and
3055 making sure that his hands are on everything because he's established the study with the
3056 School District and also West Palm Beach, and the county. So, the fact that he's actually
3057 accomplished that, that's something that we need to do. And to continue to see these
3058 come before the table, \$4,000,000, seven percent is going to, not WMBE, or MBE, I see
3059 specifically that they do not have an acknowledgement of what is going to MBE and
3060 WMBE. Those are going to SBE, which is appreciated but it's not effecting truly and
3061 impacting what a majority of this community needs. We have to raise the median income
3062 of our residents, and before we leave office, we have to impact that. Twenty-two five is
3063 unacceptable, to have a majority of the residents here in this community receiving that
3064 amount of income. So, if we can impact them by allowing for \$4,000,000 in one project
3065 to go back into our residents, we need to do that, Ms. Pemsel.

3066 So I'm not gonna support this because I cannot support 7.1 percent going towards
3067 small businesses in the community. And, the other three hundred and fifty..., I'm sorry,
3068 the \$3.5MM going outside of our community.

3069 Thank you, Ms. Pemsel.

3070 [Clapping]

3071 **Councilperson McCoy:** Madam Chair?

3072 **Chairperson Botel:** Yes. Mr. McCoy.

3073 **Councilperson McCoy:** Thank you. You know, I gotta really tip my hat to Councilman
3074 Lawson for his, you know, efforts in making sure that there's a MWBE participation, and
3075 I think I've shared this, I enjoy that benefit in my own business. And, I think it's important
3076 but , you know, it's one of those situations and I know I don't want to gamble with Public
3077 Safety. And we had an Item come up under Utility Special District where the numbers
3078 weren't exactly what we have..., would've liked for that but, you know, the saying, 'You
3079 build it, they'll come,' isn't always true in this situation. Councilman Lawson, you know,
3080 I'm not gonna suggest that you go out and find these contractors and tell them about the
3081 procurement opportunity that's out there but, gosh, I should know the, the website that all
3082 procurement goes through across the state. What is it? I should know this.

3083 **Councilperson Miller-Anderson:** DemandStar?

3084 **Councilperson McCoy:** I'm sorry?

3085 **Councilperson Miller-Anderson:** DemandStar?

3086 **Councilperson McCoy:** DemandStar.

3087 **Chair Pro Tem Lawson:** Mhmm.

3088 **Councilperson McCoy:** And, I mean, it's literally there but, Councilman Lawson, I don't
3089 wanna vote no on a Item, me, personally, if somebody just doesn't come and compete.
3090 And, and I mean, I think that's only fair, but if they're there and they've put in a concerted
3091 and good faith effort, then absolutely, they deserve a seat at the table to compete. Not
3092 to be given anything because this is free marketing, I believe in being competitive and,
3093 you know, that's just the way it works. That's the whole basis of a competitive process, .
3094 But I can't, in good conscious, and I understand what your position is, but I can't, in good
3095 conscious, not care for some of our very critical capital needs, water being one of them,
3096 streets being one of them. Certainly, a bridge being another one. And, I mean, I think it
3097 was up on the Treasure Coast where we seen a bridge collapse. I'm not about to do that.
3098 And, you know, the notion that was suggested about a private developer... Yeah, that
3099 generally happens all across the community. Congress is full of private developments
3100 that were done by private developments.

3101 And, you know, here's the conversation that we had, and I know Mr. Bailey and
3102 also Ms. Noel, and as well as the Manager, we sat in on a very interesting Waste
3103 Management conversation with members in District 1, and I'm sure everyone else had a
3104 very engaging meeting but one of the things that came up was the fact that we live in
3105 communities where we have HOA's and it's essentially double taxation. And I, and I, and
3106 I don't disagree with that, but that is kinda the nature of it. If you go into a community
3107 where there's special assessments and HOA dues, that's kinda why you go there in the
3108 first place. But, us as a City, we still have a duty to provide trash, we have a duty to
3109 provide water, and we have a duty to provide safe and operable streets. Now, the regular
3110 routine maintenance is probably maintained on a regular basis by the HOA, but by no
3111 means am I gonna ever sit here and suggest three wasn't enough minorities. I mean,
3112 what else do we need to do? And I mean, I would really make you the Chairperson of a
3113 *ad hoc* committee to figure out what we need to do to bring those people that you
3114 represent that need to have a seat at the table here so we can do it. And a matter fact, I
3115 think we have something this week. Do we not? Do we not have something this week
3116 regarding subcontractors, or did it occur already?

3117 **Chairperson Botel:** That's what she mentioned.

3118 **Procurement Director Pemsel:** [Inaudible]...

3119 **Chair Pro Tem Lawson:** Did she...

3120 **Procurement Director Pemsel:** ...meeting occurred the 28th of September. The other
3121 one is scheduled for the 20th of October.

3122 **Councilperson McCoy:** But, you know, Councilman Lawson, I'm with you. You know,
3123 and again, I benefit from those same protections that's made available, but I don't wanna
3124 sit here and suggest that we're not being fair to people, if they're not even coming in. I
3125 mean, like, let me tell you, I would love to have a, a job being a CEO of IBM. I've never

3126 applied, so I would never get it. I would love to win the lottery but if I don't play, I'm not
3127 gonna win it. So, Councilman Lawson, you know let's figure out a way to get those folks
3128 in here and I'm, I'm gonna support you on that all the way but I can't not support critical
3129 capital infrastructure needs because, you know, I don't wanna be on the other end of
3130 trynna figure out how do we settle a catastrophe like we just had a water main to go out.
3131 And that's because.., I, I have to take that critically. Police, Fire, Water, streets, trash
3132 collection, we have some core essential functions that we have to handle. The rest of it,
3133 you know, is really good but I, I just can't gamble with it because, you know, if we wait on
3134 people, we'll be waiting 'til, I think, Mr. Brown said he grew a beard. You know...

3135 [Chuckle]

3136 **Councilperson McCoy:** ...so, we'll, we'll be waiting forever. So, I.., you know, I
3137 respect what it is that you're doing but I just respectfully have a different position on, on
3138 moving forward these critical capital needs.

3139 **Chairperson Botel:** Thank you, Mr. McCoy. Mr. Lawson.

3140 **Chair Pro Tem Lawson:** To respond. Thank you, Madam Chair. And, and Councilman
3141 McCoy, I truly understand that we have to protect the infrastructure of our communities
3142 but.., and keep our residents safe. And, that's where I believe, Mr. Evans, this is more
3143 so coming from your dais that we need this process expedited. We have a half a billion
3144 dollars worth of development happening over the next five to ten years. And you're
3145 adamant about doing it, but if we continue to let these projects push through because we
3146 have to protect the residents and make sure this bridge is done... Mr. Bailey just told us
3147 it's been five years to get a permit. So, we should've already put a disparity study in
3148 place.

3149 So, Mr. Evans, if you can make sure that this gets done. And thank you for taking
3150 it into your office, but I need this process expedited. Because we cannot wait to get this
3151 process done. I'm completely in line with Councilman McCoy. I still cannot support this
3152 because if we don't.., do not put our foot down and determine, as a dais, that we're not
3153 gonna allow for companies to come in here and not employ.., and employ the residents
3154 of this community, then they're never gonna take us seriously. So, Mr. Evans, this does
3155 start with you in regards to getting this disparity study passed and making sure that Mr.
3156 Franklin Lee has his hands on the process and the projects that go out. Because, yes,
3157 we did have an event on the 28th but the marketing went out on the 23rd. So, four days
3158 notice is not sufficient. And I did share the flyer the minute it was posted. So, how are
3159 we gonna say that we're giving the right opportunities to our residents and we're telling
3160 them about what's happening, when we're not doing our job?

3161 **Unk. Audience:** [Inaudible comment].

3162 **Chair Pro Tem Lawson:** So, I really want us to start doing our job, Mr. Evans, and that's
3163 what I'm asking. And, thank you for taking it on. I don't wanna continue to have meetings.

3164 Ms. Pemsel, I want this done. And this what I've saying from day one. No one
3165 has asked me to do this, I've been consistent and steadfast on this process, so I want this

3166 to happen. I agree we have to keep Public Safety proper, but it..., this needs to happen.
3167 This is my priority, that we get this implemented and changed and impact this community
3168 for generations to come.

3169 **Chairperson Botel:** Thank you...

3170 **City Manager Evans:** Madam...

3171 **Chairperson Botel:** ...Mr. Lawson.

3172 **City Manager Evans:** Madam Chair, if I..., if I may?

3173 **Chairperson Botel:** Mr. Evans.

3174 **City Manager Evans:** We will set up an opportunity for Mr. Lee to participate in your
3175 next regular meeting, just to give you an update on the discussions that have happened
3176 as it relates to the Staff conversation. Because, what is happening, is they're actually
3177 building out the program. So, we wanna update you on the progress that has been made.
3178 And one of the items that certainly will be coming before the Board, as a major contract,
3179 that is a forty plus million dollar contract, is our Waste Management contract. And, part
3180 of the arrangement with Mr. Lee is to assist in facilitating that contract to ensure that we
3181 have participation and inclusion into processes. So, we can bring an update to the Board
3182 and a timeline as to what we can anticipate in delivering something that we can hold on
3183 to, to be able to ensure that we hit the mark that the Board is looking for, with regards to
3184 local participation, small business and minority and women owned business participation.

3185 **Chairperson Botel:** Thank you, Mr. Evans. Anything else from [stammer] any
3186 other Councilperson? I wanted to thank...

3187 **Councilperson Lanier:** Yes. Madam Chair?

3188 **Chairperson Botel:** Oh, sorry.

3189 [Chuckles]

3190 **Chairperson Botel:** Ms. Lanier, go right ahead.

3191 **Councilperson Lanier:** I, I just wanted to say, I, I do agree with Councilman Lawson's
3192 passion for the MBE program, because it's..., that it's sorely needed with the City, and I
3193 do understand that there's a process that it has to go through. I don't think that Ms..., it is
3194 Ms. Pemsel's fault that there is a process that has to be completed before we get to doing
3195 the work that we need to do. And I think that the work is being done.

3196 I want to give the attorney..., Attorney Lee and his staff the opportunity to, to work.
3197 And I think that they're working as we speak. You know, if anything, we can do a special
3198 meeting calling for SBE's and, and, and MBE's to come and, and review with the City.
3199 We can..., we, we definitely need to develop some team requirements for solicitation. We
3200 have to look at mentoring protégé's, other joint venture'..., other joint ventures or other

3201 team requirements in going forward. And I, I certainly agree with Councilman McCoy in
3202 terms of not allowing for infrastructure to go.., to go un'.., you know, to not be worked
3203 because of the lack of having this policy in place as we speak. We still have the business.
3204 And I think that the attorney.., Attorney Lee and his staff are doing the work that needs to
3205 be done, but I think there's an opportunity for us, in the meantime, to implement small
3206 business policies that does not take his work.., to wait on his work, we can do something
3207 ourself. With introducing small business policies. We can introduce, like I said, protégé
3208 and, and, and mentor programs. We just need to be able to just wait on Dr. Lee and his
3209 staff to finish their work, but to also, at the same time, implement small business policy
3210 for the City as it is.

3211 **Chairperson Botel:** Thank you. Mr. McCoy, you're recognized.

3212 **Councilperson McCoy:** My last appeal to my Commissioner from the 5th District.
3213 Where's the District at?

3214 [Chuckle]

3215 **Councilperson McCoy:** Oh, that's right, it covers the whole City. I.., you know, in, in
3216 the spirit of reasoning and, and, and just trying to take care of some of the very important
3217 things that... You know, when we got here, it was, like, so much that we had to address,
3218 and I really want your support on this.

3219 **Councilperson Lanier:** Say that again. Say it again.

3220 **Councilperson McCoy:** I want your support, Commissioner Lawson. And then, you
3221 know, I'd be happy to, you know, see what we can do to, you know, drive this, this other
3222 initiative home with getting as many people that... You know, and then, obviously, that's
3223 why we're here tomorrow. Right? That's one of the reasons why we're having a special
3224 meeting tomorrow. And, you know, I get it. Again, Councilman Lawson, I benefit from
3225 this. So I know firsthand. But I never would've gotten that benefit if I didn't go through
3226 what it took to become a, a MWBE through Palm Beach County.

3227 So, that's all I have. I yield back.

3228 **Chairperson Botel:** Thank you, Mr. McCoy. I wanted to take this opportunity to
3229 thank Mr. Bailey and, and Mr. Evans for spending one hot, very hot, day out there at that
3230 bridge, listening to the people who live there, making the modifications that they asked
3231 for, doing it in a very timely manner and with graciousness. And I really appreciated that.
3232 It's a, an extremely dangerous situation out there, as you well know. Those bridges are
3233 in dire need of repair and, and its, it's really important for us to get this done now and not
3234 to wait any longer. But thank you again for the time you took to make the changes that
3235 hey asked for. I appreciate it.

3236 Anything else? Madam Clerk.

3237 **Councilperson Lanier:** Madam Chair, let me just say that I want to thank Ms. Pemsel
3238 for her work. She has worked tirelessly to put together these bids, these procurements,

3239 these RFP's, these..., all of these things that we need to do to get this billion dollars worth
3240 of work. She is the one who is working to make sure that the process is followed. So I
3241 don't want it to appear as if she is not doing what she needs to do. There is a process
3242 that is in place and I totally agree with [audio skipped], Councilman Lawson, but we could
3243 also do somethings ourselves in putting things in place.

3244 **Chairperson Botel:** Thank you. Madam Clerk.

3245 **City Clerk Anthony:** Councilperson Miller-Anderson?

3246 **Councilperson Miller-Anderson:** Yes.

3247 **City Clerk Anthony:** Councilperson Lanier?

3248 **Councilperson Lanier:** Yes.

3249 **City Clerk Anthony:** Councilperson McCoy?

3250 **Councilperson McCoy:** Yes.

3251 **City Clerk Anthony:** Pro Tem Lawson?

3252 **Chair Pro Tem Lawson:** No.

3253 **City Clerk Anthony:** Chair Botel?

3254 **Chairperson Botel:** Yes.

3255 **City Clerk Anthony:** That motion is approved with Councilperson Lawson
3256 dissenting.

3257 **12. Chairperson Botel:** Item. 12. Thank you, Mr. Bailey.

3258 **City Clerk Anthony:** **RESOLUTION NUMBER 87-20 A RESOLUTION OF THE**
3259 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**
3260 **FLORIDA, APPROVING A SETTLEMENT AGREEMENT BETWEEN RIVIERA**
3261 **COMMUNITY DEVELOPMENT LAND TRUST, WITH HRY DEVELOPMENT LLC AS**
3262 **TRUSTEE AND THE CITY OF RIVIERA BEACH FOR THE RESOLUTION OF SHARON**
3263 **R. BOCK V. BROOKS SUBDIVISION, LLC, ET AL., FIFTEENTH JUDICIAL CIRCUIT**
3264 **CASE NOS. 502019CA005944XXXXXMBAL, 502019CC005452XXXXXMBRF,**
3265 **502019CC005870XXXXXMBRB, AND 502019CA005960-XXXXXMBAG, IN WHICH THE**
3266 **RIVIERA BEACH COMMUNITY DEVELOPMENT LAND TRUST WOULD CONVEY BY**
3267 **QUIT CLAIM DEED FOUR PARCELS ASSOCIATED WITH THE BROOKS**
3268 **SUBDIVISION TO THE CITY, FOREGO ANY RIGHTS TO THE REMAINING SURPLUS**
3269 **OF \$51,881.74, PAY TO THE CITY \$9,290.69 FOR OUTSTANDING UTILITY LIENS IN**
3270 **EXCHANGE FOR A WAIVER OF CERTAIN LIENS ON STIPULATED HRY PARCELS;**
3271 **DONATE \$25,000 TO THE HOUSING TRUST FUND; OTHER TERMS AND**
3272 **CONDITIONS AS STIPULATED IN THE SETTLEMENT AGREEMENT; AND**

3273 **AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SAME, AND**
3274 **PROVIDING FOR AN EFFECTIVE DATE.**

3275 **DAWN WYNN, CITY ATTORNEY, 561-845-4069**

3276 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have any
3277 public comments on this Item. The acceptance of public comment cards on this Item is
3278 now closed.

3279 **Chairperson Botel:** Thank you.

3280 **Councilperson McCoy:** So moved.

3281 **Chair Pro Tem Lawson:** Second.

3282 **Chairperson Botel:** Thank you. Ms. Wynn.

3283 **City Attorney Wynn:** Yes. Thank you. Good evening, Madam Chair, Council,
3284 members of the public.

3285 This proposed settlement in Riviera Community Development Land Trust with HRY
3286 Development, LLC intends to resolve the issues associated with the four Brooks
3287 subdivision parcels, in addition to the four interpleader cases associated with those
3288 parcels. Pursuant to the settlement agreement, HRY would execute a quick claim deed
3289 in favor of the City for all four Brooks subdivision parcels. As you all know, we have been
3290 trying to obtain title to the four Brooks parcels for quite some time now so that we can
3291 convey them to the county and they can develop the twenty-two Brooks subdivision
3292 parcels; the eighteen already owned by the county, and the four that the City would
3293 receive as a result of this settlement.

3294 In addition, HRY would donate a total of \$25,000 to the Housing Trust Fund which
3295 is under the City. That would assist in down payment assistance to qualified homebuyers
3296 for..., in a first-time homebuyer's program. They also would pay the City the remaining
3297 nine'..., ninety-two hundred dollars..., well, \$9,290.69 in outstanding Utility liens that are
3298 attached to the..., to their parcels. They would forego any interest or entitlement to the
3299 surplus on the four interpleader cases in the Brooks..., in the Brooks cases that are listed.
3300 That amount of the surplus is \$51,881.74. In exchange, the City would agree to release
3301 all City Code and lot clearing liens on the parcels owned by HRY within the municipal
3302 boundaries of the City and issue a proclamation acknowledging HRY's past and
3303 continued efforts to provide affordable housing to the residents and citizens of the City.

3304 In addition, HRY will also work with the..., our adult reentry program in their on-the-
3305 job training program, and use their best efforts to use qualified apprentices reg'...,
3306 registered with our program in the development and construction of the homes that they
3307 plan to put on the HRY parcels.

3308 I bring this before you for consideration and approval, as it is in the best interest of
3309 the City.

3310 **Chairperson Botel:** Thank you. Any questions?

3311 **Councilperson Lanier:** Madam Chair?

3312 **Chairperson Botel:** Yes. You're recognized.

3313 **Councilperson Lanier:** I wanted to ask, in the title it says, it says, 'a waiver of certain
3314 liens on stipulated parcels.' What is the amount of the lien and what parcels are we talking
3315 about?

3316 **City Attorney Wynn:** Okay.

3317 **Councilperson McCoy:** On Page 8.

3318 **City Attorney Wynn:** There are...

3319 **Councilperson McCoy:** Page 8 of the backup. Of the settlement agreement.

3320 **City Attorney Wynn:** I beg your pardon?

3321 **Councilperson McCoy:** It's on Page 8 of the settlement...

3322 **City Attorney Wynn:** Okay.

3323 **Councilperson McCoy:** ...agreement.

3324 **Councilperson Lanier:** I saw that. I saw that. I'm asking the Attorney.

3325 **City Attorney Wynn:** Right. And Ms. Busby will address the correct [stammer] the
3326 amounts, however, it's a waiver of lot clearing liens and Code Enforcement liens that were
3327 placed on the property prior to the HRY purchasing those properties through the tax deed
3328 sales. Ms. Busby can give you...

3329 **Councilperson Lanier:** And, and...

3330 **City Attorney Wynn:** ...the, the amount...

3331 **Councilperson Lanier:** And how much are those...

3332 **City Attorney Wynn:** ...of those liens.

3333 **Councilperson Lanier:** And how..., yeah. How much are, are those liens?

3334 **Assistant City Attorney Busby:** Okay. Chair?

3335 **Chairperson Botel:** Yes. Go ahead.

3336 **Assistant City Attorney Busby:** Good evening, Mayor and City Council.

3337 And, Councilperson Lanier, to answer your question...

3338 **Councilperson McCoy:** Can we speak up?

3339 **Chairperson Botel:** Could...

3340 **Assistant City Attorney Busby:** Yes.

3341 **Chairperson Botel:** Just move the mic. Thank you.

3342 **Assistant City Attorney Busby:** To answer your question, with respect to the certain
3343 liens that are on these parcels owned by HRY, which is a part of this settlement
3344 agreement. The total amount of the Code Enforcement liens comes to \$578,225.00.
3345 That's on Page 8 of the settlement agreement, which was provided as backup. There's
3346 also a total of lot clearing liens at \$148,026.51. As part of this settlement agreement, Mr.
3347 Hankin, through his company, HRY Parcels, has the responsibility to pay all Utility liens
3348 and so far he has paid close to \$14,000 in liens, and I believe there's a remaining balance
3349 of \$9,290, which he'll be required to pay within a few days of this settlement.

3350 **Chairperson Botel:** Anything else, Council...

3351 **Councilperson Lanier:** Yeah. I, I..., I [inaudible] an agreement with [audio skipped]
3352 Item. I want the Brooks subdivision to happen. I mean, I really want it to happen. I, I
3353 was a part of the conversation when we first came on the Council in regards to getting
3354 this project off the ground and I really, really, really want it to happen but not with this
3355 particular group. And then to choose to give this group a proclamation on top of the bad
3356 history, that this will pass, I cannot in good conscious vote for this Item, even though I
3357 want the Brooks subdivision to happen, but not this way.

3358 **Chairperson Botel:** Thank you. Any other questions? [Pause]. Madam Clerk.

3359 **City Clerk Anthony:** Councilperson Lanier?

3360 **Councilperson Lanier:** No.

3361 **City Clerk Anthony:** Councilperson McCoy?

3362 **Councilperson McCoy:** Yes.

3363 **City Clerk Anthony:** Councilperson Miller-Anderson?

3364 **Councilperson Miller-Anderson:** Yes.

3365 **City Clerk Anthony:** Pro Tem Lawson?

3366 **Chair Pro Tem Lawson:** Yes.

3367 **City Clerk Anthony:** Chair Botel?

3368 **Chairperson Botel:** Yes.

3369 **City Clerk Anthony:** That motion is approved with Councilperson Lanier
3370 dissenting.

3371 **Chairperson Botel:** Thank you.

3372 **13. Chairperson Botel:** Item 13.

3373 **City Clerk Anthony:** RESOLUTION NUMBER 88-20 A RESOLUTION OF THE
3374 CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,
3375 FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN OPEN
3376 END MASTER LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT
3377 FOR THE LEASING AND MAINTENANCE OF CITY VEHICLES; AUTHORIZING THE
3378 CITY MANAGER TO NEGOTIATE WITH ENTERPRISE FLEET MANAGEMENT AND
3379 TO FACILITATE THE ONGOING REPLACEMENT OF CITY VEHICLES IN AN
3380 AMOUNT NOT TO EXCEED THE CITY'S ANNUAL CAPITAL FLEET BUDGET
3381 ALLOCATION; AUTHORIZING THE DIRECTOR OF FINANCE AND
3382 ADMINISTRATIVE SERVICES TO MAKE ANNUAL LEASE AND MAINTENANCE
3383 PAYMENTS FOR THE SAME; AND PROVIDING AN EFFECTIVE DATE.

3384 **NATHAN OSGOOD, CHIEF OF POLICE, 561-845-4128**

3385 **City Clerk Anthony:** Madam Chair, Members of the Board, we do have public
3386 comment on this Item. The acceptance of public comment on this Item is now closed.

3387 **Chairperson Botel:** Thank you.

3388 **Councilperson Miller-Anderson:** So moved.

3389 **Chairperson Botel:** Thank you. Chief Osgood.

3390 **Councilperson Miller-Anderson:** So moved. Anybody... Hello?

3391 **Chairperson Botel:** Oh, thank you.

3392 **Councilperson McCoy:** Second.

3393 **Councilperson Miller-Anderson:** Can anybody hear me? Is my mic up?

3394 **Chairperson Botel:** I, I heard the so moved and, and...

3395 **Councilperson McCoy:** Second.

3396 **Councilperson Miller-Anderson:** Is my mic working?

3397 **City Manager Evans:** I...

3398 **Chairperson Botel:** You're very low.

3399 **Councilperson Miller-Anderson:** I can't even hear myself.

3400 **City Manager Evans:** Madam...

3401 **Councilperson Lanier:** I can hear you.

3402 **Councilperson Miller-Anderson:** Oh.

3403 [Chuckles]

3404 **City Manager Evans:** Madam Chair?

3405 [Inaudible comments and chuckles]

3406 **City Manager Evans:** Madam Chair and Members of the Board, this Item before you
3407 is to enter into a master lease agreement with Enterprise Fleet Management. This Item
3408 was discussed at the Staff level to look at ways to modernize the City's fleet, while also
3409 looking to save the City money over a significant period of time. We have representatives
3410 from Enterprise that will share a little bit of information concerning the program and we
3411 believe that this will allow for us to have a fleet that reflects the new imagine and new
3412 brand that the City is looking to move forward with. So, I will allow for Chief Osgood to
3413 introduce his team and then we'll take it from there.

3414 **Police Chief Osgood:** Good evening, Board. Mr. Mayor, Madam Chair, thank you
3415 for letting me present tonight.

3416 Anyway, I have Ms. Christina Anthony and Ms. Kat Williams from Enterprise. And
3417 so, they're gonna talk to you about the proposal they have for us. And the reason why
3418 this comes up, the police's fleet was aging, and we have a number of problems with our
3419 police vehicles that sometimes we cannot get our police officer out on the street fast
3420 enough. So, this is why we bring this, this presentation to you tonight.

3421 Thank you.

3422 **Ms. C. Anthony:** Good evening, Mayor, Councilpersons, Chair and the City Attorney.
3423 My name is Christina Anthony. I'm with Enterprise Fleet Management. I'm an account
3424 executive. And with me is Kat Williams. She's an account manager, also with Enterprise
3425 Fleet Management. We appreciate everyone's time this evening and for us to be able to
3426 present tonight.

3427 Today I want to discuss how, according to what Chief mentioned, we're able to
3428 help the City refresh its fleet, old aging fleet, with new vehicles, at current [stammer]
3429 budget or below. And, in today's meeting, our obj'.., objective is to want to introduce
3430 Enterprise, our background, some of the government agencies that we are working with,
3431 the programs that we are customizing for the City of Riviera Beach, how that cus'.., that
3432 concept will assist the City with savings and efficiencies, and some of the current areas
3433 of opportunities with the City's fleet today.

3434 Enterprise Fleet Management.., Enterprise Holdings is the parent company.
3435 We've been in business for over sixty years. We are the largest transportation company
3436 worldwide. Our business lines are as follows, most properly known Enterprise Rent-A-
3437 Car, Alamo National and our truck rental brands, due to our retail footprint. However,
3438 tonight, myself and Kat represent the Enterprise Fleet Management brand. And, we
3439 assist entities, both on the public and private sector in their current fleet and helping them
3440 consult on ways to provide savings and efficiencies.

3441 How that drills down in the government sector. We have over fourteen hundred
3442 government clients here in the U.S., and over a hundred here in the State of Florida. Our
3443 program is nationally vetted as the number one fleet management company to help
3444 government agencies. We are vetted under Sourcewell, ENIN Tips [sp]And so, our
3445 program was vetted under those as well. On a local level, some of our clientele is the
3446 City of Fort Pierce, City of Stuart, Palm Beach Gardens, Lake Park Shores, City of Miami
3447 Gardens, City of North Lauderdale, Pompano Beach, City of Hollywood, City of
3448 Lauderdale Lakes, and Coral Springs. They all came onboard and [stammer] we have a
3449 customized program for them, to help with efficiencies and savings. So, these are some
3450 of the local agencies that, you know, currently use our, our services today.

3451 The current fleet situation and with our experience in working with government
3452 entities, looks at the fleet in two different funds, both your capital fund and your operating
3453 fund. One of the main strategies or, or concepts that cities look at fleets, is typically
3454 whenever we're looking to put money into the capital budget, if there are any issues such
3455 as pandemic, like it is now, the capital budget typically can be reduced. So, Enterprise is
3456 looking to help maximize that capital budget, and also take in account the operating
3457 budget so that we can help the City save overall on a total cost level. Our proactive
3458 approach will allow us to assist the City save over \$400,000, with a eight-year proactive
3459 plan. We're also looking to present different funding strategies to help the City with
3460 cashflow, so they, they can purchase the new vehicles within the [stammer], the budget
3461 and obviously, affect the maintenance and fuel budgets as well.

3462 Key objectives for, for us to help the City. There's about ten different things that
3463 go into operating and, and managing a fleet, everything from acquisition to the way you
3464 fund your vehicles, the decisions and processes of operating those vehicles all the way
3465 to resale. Enterprise has a program and will help the City of Riviera Beach consult on all
3466 of those different areas, and we'll.., we will help the City identify ways to provide savings
3467 and efficiencies in each of those areas. In addition to that, Enterprise has invested
3468 millions of dollars in technology that will come free to the.., or come with the program to
3469 the City so that you can continue to track the cost and the analysis that we put together
3470 for the City annually.

3471 On a conceptual level, the way Enterprise is looking at the City's fleet, we look at
3472 a total cost to own the vehicle, everything from depreciation, your operating expenses,
3473 down time and we're identifying what the current City's fleet is today and how we can help
3474 reduce those costs in each of those areas. So this is an illustration of a cost of a truck
3475 when you purchase a vehicle. If it's a \$25,000 truck and you just paid \$25,000 on that
3476 one truck, there were other costs that was associated with that particular vehicle, so

3477 Enterprise is looking at all of those different areas as we present today on some of those
3478 programs and plans to be proactive.

3479 Enterprise's concept and what we do as a company for not only ourselves but for
3480 our business clients, is we look at a proactive approach. We have the data and analytics
3481 for over sixty years, we identify the right time to sell those vehicles. Vehicles are a
3482 depreciating asset. The great thing with government agencies, is that you have
3483 piggybacking contracts such as Florida Sheriff's Association and Sourcewell, where you
3484 get great pricing. So, in this illustration on a truck, you can get over \$11,000 of a savings
3485 just from the purchasing side. Well, combining that with Enterprise's resources to sell the
3486 vehicles at the optimal time, where there is equity still in the vehicle, can allow the City to
3487 lower its depreciating costs. So, in this illustration, it's showing that that \$21,000 vehicle,
3488 that the City was able to purchase it at, with the contract, by selling it strategically in this
3489 illustration at five years, we're able to sell it for \$14,000, lowering that depreciation cost
3490 of only \$7,000. In addition to that, by operating this new vehicle, you've gotten..., you've
3491 operated the vehicle with the latest fuel technology, so the fuel efficiency, as well as its
3492 maintenance, so those costs will be a lot lower in its earlier terms, as your operating a
3493 new vehicle versus waiting at a later time when you're operating the vehicle at ten years
3494 or older.

3495 An area of opportunity that we're also helping the City with is the maintenance
3496 shop. Currently, the staffing level is having a hard time to support all of the maintenance
3497 for the entire City's fleet. So what has been suggested is Enterprise does have a
3498 maintenance program. We were looking to pilot out the City's police fleet to local
3499 maintenance shops here in the City of Riviera Beach, so you'll still be supporting the City's
3500 maintenance shop here, and the tax base here in the City of Riviera Beach. It will also
3501 help alleviate some of the staffing burdens for your maintenance shop, and make sure
3502 that all of the vehicles are being maintained at the right time, and with efficiencies. The
3503 great benefits of that maintenance program as well, is we do have a fixed and budgeted
3504 program that will be going on a portion of the fleet and the rest of it will be a pass through
3505 that is at a discounted national rate from Enterprise's program.

3506 Something to illustrate in terms of fuel. As you see new vehicles come out, such
3507 as hybrid and electric vehicles and the City's operating and transitioning into a new fleet,
3508 we can take advantage of operating the most fuel efficient vehicles based on those new
3509 technologies that are coming out, so a new vehicle we know its fuel efficiency will increase
3510 year over year, which will help drive savings in that area as opposed to how the City is
3511 currently operating today where there are old vehicles and there's fuel degradation. So,
3512 there's an opportunity cost there by operating new vehicles as it relates to fuel efficiency.

3513 Looking at the current City's fleet as it is today, as we evaluated over two hundred
3514 and eighty-three vehicles, there's about twenty-eight percent of the fleet that is ten years
3515 or older, so that's seventy-nine vehicles and sixty-four percent of that fleet that is no longer
3516 under warranty. So, Enterprise is going to look at addressing this fleet immediately to
3517 help the City get to the point of where it's looking to achieve its..., the initiatives and
3518 provide the most savings.

3519 In addition to that, explaining some of the funding options that will be a change for
3520 the City. We are presenting an open-end lease. It's a financing structure that our other
3521 cities are taking advantage of, as well as our private companies. It is a lease that is a
3522 little more flexible than what others are used to, so there are no mileage restrictions,
3523 there's no wear and tear penalties.

3524 **Councilperson Lanier:** [Inaudible].

3525 **Councilperson Miller-Anderson:** Can she...

3526 **Councilperson McCoy:** [Inaudible] Ms. Lanier...

3527 **Chair Pro Tem Lawson:** Ms. Lanier, if you could mute your mic.

3528 **Ms. C. Anthony:** There are no mileage restrictions, no wear and tear penalties and
3529 there's equity still into the fleet, that the City will own, so the, the City still owns equity in
3530 the fleet and will, as a result, get those benefits. However we are able to help with
3531 cashflow in purchasing the vehicles, more vehicles, with an open-end lease. So, it takes
3532 advantage of the cash benefits as well as financing benefits, and it's a strategic lease.

3533 Some of the other types of funding that the City may be more familiar with is self-
3534 funding their vehicle, so purchasing cash, as well as a closed-end lease which is a typical
3535 dealership lease where you can have those mileage restrictions. Enterprise is flexible.
3536 We have the ability to help the City in all different areas, however, what we're proposing
3537 on the City's fleet is the open-end lease so you can take advantage of the flexibility of,
3538 you know, any wear and tear mileage and having equity at the end of the term.

3539 **Councilperson McCoy:** Mr. Chair?

3540 **Ms. C. Anthony:** Getting into the funding part, on the comparison of where the budget
3541 stands today as the City of Riviera Beach's current fleet trend as comparison to
3542 Enterprise's plan. On average, the City is purchasing about twenty-seven vehicles.
3543 Purchasing those cash at \$463,000, conservatively, just with the current budget year,
3544 looking into this year; maintenance at \$490,000 on the entire two hundred and eighty-
3545 three units, and fuel at \$576,000, totaling the fleet budget to about \$1.5MM.

3546 With our plan, addressing those seventy-nine vehicles along with the other
3547 vehicles that are in optimal time to be replaced in year one. We are addressing ninety
3548 vehicles that will total to \$559,000. However, with selling those ninety vehicles, we'll also
3549 be able to capture \$147,000 on that..., those vehicles being turned in, so that will offset
3550 the \$559,000. Your maintenance will drop to \$364,000, and your fuel, there's an
3551 opportunity cost of savings of \$542,000 by adding ninety new vehicles to your fleet. So,
3552 in year one, we're looking at about a fourteen percent savings of \$1.5MM to \$1.3.

3553 Providing a indus'..., a quick industry up'..., update. Due to COVID-19,
3554 manufacturers did have to shut down. That basically put them in a position where they
3555 will be building twenty percent less or producing twenty percent less vehicles this
3556 upcoming year. What that does, is that drives the demand to used vehicles. So, as

3557 Enterprise helps the City sell..., sell its aged fleet, it does increase that resale sell market
3558 and helps us with the budget constraint that we have in reducing your capital budget. In
3559 addition, interest rates are low as we look into a financing option so there's different
3560 benefits when you're a city or a government or a business, in terms of replacing and
3561 purchasing vehicles in today's climate.

3562 And lastly, to conclude, all of the benefits in summarizing. Again, we are looking
3563 to help the City save over \$400,000 and refresh its entire fleet with a eight-year
3564 implementation plan. We are gonna be recommending the best manufacturers with the
3565 most incentives to the City so that we can help the City with the most savings and look at
3566 the total., lowest total cost. We're looking at ;purchasing., going from purchasing
3567 vehicles at cash to an equity lease so that we can help with cashflow; lowering the age of
3568 your fleet and increasing your resale so that we can take advantage of lowering your
3569 capital budget as a whole; reducing your operating expenses, your maintenance and fuel.
3570 We will [stammer] be able to achieve that by operating your vehicles. This will help with
3571 positive City image and employee morale by having your employees in safer, newer
3572 vehicles, and also the updated safety in technology new vehicles will help assist with your
3573 employees and accidents and things like that.

3574 And that concludes my presentation. Thanks to everyone for your time and I'm
3575 open for questions.

3576 **Chairperson Botel:** Thank you. Any questions? Mr. McCoy...

3577 **Chair Pro Tem Lawson:** Thank you, Madam Chair.

3578 **Chairperson Botel:** ...you're recognized. And then Mr. Lawson, thank you.

3579 **Councilperson McCoy:** Me first?

3580 **Chairperson Botel:** Mhmm.

3581 **Councilperson McCoy:** Thank you, Madam Chair. I believe, Christina?

3582 **Ms. C. Anthony:** Yes.

3583 **Councilperson McCoy:** So, I guess, and pardon me, I had to step out for a second.
3584 The open-end leases, you said provides equity. And, I may have missed this, Chief, but
3585 this is not specific to the police, this is across the City, correct? All departments?

3586 **Police Chief Osgood:** [Inaudible].

3587 **City Manager Evans:** No. The...

3588 **Police Chief Osgood:** That's correct. [Inaudible]...

3589 **City Manager Evans:** Please.

3590 **Councilperson McCoy:** Mic. We gotta have a mic.

3591 **Chairperson Botel:** Your microphone, Chief.

3592 **City Manager Evans:** This is exclusively for law enforcement.

3593 **Police Chief Osgood:** That's correct. We're looking, right now, for... Keep going?

3594 For police..., this is for police, but hopefully one day, we can open it up to the whole City.

3595 **Councilperson McCoy:** Okay.

3596 **Police Chief Osgood:** But this is just for police.

3597 **Councilperson McCoy:** So, I guess my question, Ms. Christina, so you've done these

3598 specific for law enforcement agencies in this fashion that's being proposed for us?

3599 **Ms. C. Anthony:** Yes. We have experienced doing it with, specifically, just law

3600 enforcement as well.

3601 **Councilperson McCoy:** Well, I, I guess I'm curious. I think seen some vehicles out

3602 front. Those aren't it, are they? Is that, I guess, a resemblance of what some of those

3603 vehicles could be? If we were to go through a lease?

3604 **Police Chief Osgood:** That's correct, Councilperson. Those vehicles are already

3605 purchased. We own those vehicles. Now, those vehicles been in the works since last

3606 October.

3607 **Councilperson McCoy:** Right.

3608 **Police Chief Osgood:** And you can see how long it took us to get, I think it's a total

3609 of twelve vehicles rolled out by owning. This is a program that we're looking to replace

3610 our entire fleet.

3611 **Councilperson McCoy:** Okay. I, I guess I'm concerned, and I don't know if this is, you

3612 know, I, I don't wanna say..., I don't know what kind of question this is, but, you know,

3613 when retrofit these vehicles, like, how do you resell that? Like, what is the real equity in

3614 a police vehicle that you've now turned into a, a police transport vehicle that doesn't have

3615 the traditional features? What's the equity in that, after its exceeded its useful life, or we

3616 decide we wanna go somewhere else?

3617 **Ms. C. Anthony:** Yes. I can answer that. Enterprise, we have wholesalers and other

3618 dealerships that do purchase those used vehicles back from us. We do have the

3619 experience of selling police vehicles as well. A part of our process is, after the City has

3620 operated that police vehicle, Enterprise picks that vehicle up, does all the

3621 decommissioning of the City's logos, lights, sirens, and we put that on a market where

3622 that vehicle can sell. So, there are companies, like security companies, that will purchase

3623 those used vehicles.

3624 **Councilperson McCoy:** Okay. And obviously, Mr. Evans, you said this is starting with
3625 Public Safety, with the Police Department?

3626 **City Manager Evans:** That is correct. We're, we're utilizing exclusively for, for Public
3627 Safety because they are primarily the department that acquires the most pieces of rolling
3628 stock, and we have a situation where a lot of our vehicles are at the end of their useful
3629 life and this is the most expeditious way to be able to modernize the fleet to be able to
3630 operate in a more efficient manner. Unfortunately, in some cases, some of our officers
3631 have to go out to their vehicles with a, a jumper box to jump start some of the vehicles
3632 that they do have.

3633 And as we look to rollout our take home vehicle policy, this allows for us to get
3634 enough vehicles to accommodate the, the take home vehicle policy versus the situation,
3635 if we're only buying twenty-seven vehicles a year, by the time we make it through the
3636 cycle, we're already purchasing vehicles that we purchased years... And, and most law
3637 enforcement apparatus decommission after five to seven years because there is a lot of
3638 use. And especially if you're hot seating them and utilizing them...

3639 **Councilperson McCoy:** Around the clock.

3640 **City Manager Evans:** ...for a twenty-four hour period, where two individuals are
3641 utilizing the same vehicle. So, we're rolling that out on the police side. This is not gonna
3642 impact any personnel or any operation that we have. Currently, our existing fleet
3643 maintenance group will focus some of their time and effort on the other rolling stock that
3644 we do have, in addition to, as it was communicated, there's partnerships that will be
3645 established with local mechanic shops. So, there will be an opportunity to create some
3646 business for some of our other shops to help maintain some of the vehicles we do have.

3647 **City Manager Evans:** Mr. Evans, man, for the third time, can you let me get... I
3648 know you're on the ball, Mr. Evans, and that's exactly...

3649 **City Manager Evans:** [Chuckle].

3650 **Councilperson McCoy:** ...what I was gonna ask.

3651 [Chuckles]

3652 **Councilperson McCoy:** I hope it, it doesn't have impact to our local..., our in-house
3653 fleet maintenance division. So, that's a great thing. And it's even better, if I'm hearing
3654 you correctly, that any services that's not handled, I guess, with, with these fleet vehicles,
3655 will be handled locally, meaning Riviera Beach ASC certified mechanics?

3656 **City Manager Evans:** Yes, sir.

3657 **Councilperson McCoy:** Oh, that's beautiful. I like that. So, Ms., Ms. Anthony and Ms.
3658 Williams, you guys have a ambulance because I'm interested in seeing if we can lease
3659 an ambulance for me and Councilman Lawson and we can out and do some calls.

3660 [Chuckles]

3661 **Councilperson McCoy:** So, that's kinda what I wanted to know. So, thank you, Mr.
3662 Evans, for...

3663 **Chairperson Botel:** [Inaudible].

3664 **Councilperson McCoy:** ...'cause that's exactly where I was going about, you know,
3665 what happens. And that's even better to know that we'll be supporting, through our,
3666 through these lease agreements, local businesses as well.

3667 So, I, I like the concept. I just wanna... And I, and I stepped out. What was the
3668 rollout? Is.., I mean, are we phasing this? Proposally [sp]?

3669 **City Manager Evans:** It, it, it certainly would require, you know, how quickly they can
3670 get the vehicles and the striping because I've had the similar program that we rolled out
3671 in, in Madeira Beach and the savings were a lot smaller, smaller agency. But, when they
3672 deliver the vehicle, all the striping, everything... You basically get the keys and jump in.
3673 It's already done. So, it depends on, and as it was communicated, that the factories are,
3674 are behind and catching up, so there may be a little bit of a lag time but they will, they will
3675 source and, and get the vehicles and be able to accommodate what the demands of, of
3676 the City are once we execute the agreement.

3677 **Councilperson McCoy:** Thank you, Madam Chair.

3678 **Chairperson Botel:** Any other... Mr. Lawson, you still have questions?

3679 **Chair Pro Tem Lawson:** Thank you, Madam Chair. Mr. Evans, the Resolution, I
3680 understand that we're starting with our police, but the Resolution outlines all City vehicles.
3681 So, with this Resolution, we're giving authority to allow for all City vehicles to eventually
3682 be transitioned over to Enterprise?

3683 **City Manager Evans:** The, the way in which the, the Resolution is structured, it's
3684 similar to that of our, our previous master lease agreements, but it, it is gonna be
3685 exclusively to Public Safety. We have no intention, at this particular moment, to move
3686 into the other pieces of rolling stock, because we wanna beta test this and see how it
3687 goes over the next couple of years. So, it wouldn't be something that we would consider
3688 for a little bit of time, until we have quantifiable data and information to show exactly what
3689 the numbers are. So, it would just law enforcement exclusively.

3690 **Chair Pro Tem Lawson:** So then, colleagues, I would ask for a amendment to this
3691 motion to incorporate just Public Safety into the Resolution, because as it's stated, this is
3692 for all City vehicles. So, if we look at the Resolution and incorporate just Public Safety
3693 for the time being, since we're looking at the infrastructure, rolling it out and seeing how
3694 it impacts the, the budget bottom dollar and it's gonna be beneficial, but let's just make
3695 sure that we're very specific with what the Resolution states.

3696 Next question, if we could go to the local, the local shops that we'll be using, one
3697 of the slides I believe you had up, it was in and around three.., 33404.

3698 **City Clerk Anthony:** Madam Chair...

3699 **Chair Pro Tem Lawson:** And I know you had mentioned that...

3700 **City Clerk Anthony:** Madam Chair and Members of the Board, excuse me. Please
3701 be advised of your time.

3702 **Chair Pro Tem Lawson:** Thanks.

3703 **Chairperson Botel:** Thank you. We'll get...

3704 **Chair Pro Tem Lawson:** It was two more, two more... Yeah. Just one more question,
3705 Madam Chair.

3706 **Councilperson Miller-Anderson:** We still have public comment, right?

3707 **Chairperson Botel:** Yeah. We do.

3708 **Chair Pro Tem Lawson:** Okay.

3709 **Chairperson Botel:** I think we're gonna have to extend, just 'til we finish.

3710 **Councilperson Miller-Anderson:** So the.., we wanna make a motion to extend...

3711 **Chair Pro Tem Lawson:** Motion to extend the meting fifteen minutes? To 10:15?

3712 **Councilperson Miller-Anderson:** So moved.

3713 **Chairperson Botel:** Madam Clerk. Voting on the motion to...

3714 **Councilperson McCoy:** Well...

3715 **Chairperson Botel:** ...extend [inaudible]...

3716 **Councilperson McCoy:** I like indefinitely. This is our last Item so, let's not have to do
3717 it again.

3718 **Councilperson Miller-Anderson:** No. That might give you motivation...

3719 **Chairperson Botel:** No. We might...

3720 **Councilperson Miller-Anderson:** ...[inaudible]...

3721 **Chairperson Botel:** ...we, we have...

3722 **Chair Pro Tem Lawson:** No.

3723 **Chairperson Botel:** ...a public comment

3724 [Chuckles]

3725 **Chair Pro Tem Lawson:** 10:15 is [inaudible].

3726 **Chairperson Botel:** 10:15. 10:15. Madam Clerk.

3727 **Councilperson Miller-Anderson:** :15.

3728 **Chair Pro Tem Lawson:** Indefinitely...

3729 **Councilperson Miller-Anderson:** 10:15.

3730 **Chair Pro Tem Lawson:** ...[inaudible].

3731 **City Clerk Anthony:** The motion is to extend the meeting to 10:15?

3732 **Chair Pro Tem Lawson:** To 10:15.

3733 **Chairperson Botel:** 10:15.

3734 **City Clerk Anthony:** That motion was by Councilperson Lawson and seconded by
3735 Councilperson...

3736 **Councilperson Miller-Anderson:** Miller-Anderson.

3737 **Chair Pro Tem Lawson:** Councilwoman Miller-Anderson.

3738 **City Clerk Anthony:** ...Miller-Anderson?

3739 **Chair Pro Tem Lawson:** Yes.

3740 **City Clerk Anthony:** Okay. Councilperson Lanier?

3741 **Councilperson Lanier:** Yes.

3742 **City Clerk Anthony:** Councilperson Miller-Anderson?

3743 **Councilperson Miller-Anderson:** Yes.

3744 **City Clerk Anthony:** Councilperson McCoy?

3745 **Councilperson McCoy:** Yes.

3746 **City Clerk Anthony:** Pro Tem Lawson?

3747 **Chair Pro Tem Lawson:** Yes.

3748 **City Clerk Anthony:** Chair Botel?

3749 **Chairperson Botel:** Yes.

3750 **City Clerk Anthony:** Unanimous vote.

3751 **Chairperson Botel:** Okay.

3752 **Chair Pro Tem Lawson:** So, the local repair shops and maintenance shops are in and
3753 around 33404. Now, to service this, this fleet, two hundred and eighty plus vehicles, how
3754 many shops do you guys normally utilize and use for repairs, for maintenance, for serving,
3755 of municipalities that you may work with?

3756 **Ms. C. Anthony:** Well, the City is currently going.., the City's maintenance shop is
3757 currently going to maintain the majority of that two hundred and eighty-three vehicles.

3758 **Chair Pro Tem Lawson:** Yes.

3759 **Ms. C. Anthony:** It'll just be the police vehicles that we're looking to outsource to the
3760 local shops. We have thousands of national service shops in each City.

3761 **Chair Pro Tem Lawson:** Mm.

3762 **Ms. C. Anthony:** Or, within the, the country, so each city, those national service shops
3763 can hold the demand for that. Very similarly to our Enterprise rental locations, those
3764 locations actually do use those local maintenance shops and there's a pretty large
3765 demand that they get from us, so they're, they're prepared for it.

3766 **Chair Pro Tem Lawson:** Right.

3767 **Ms. C. Anthony:** And as a corporate partner, there's an expectation to get those
3768 vehicles out expediting.

3769 **Chair Pro Tem Lawson:** Right. So, what are... Our portion.., our approach as a dais,
3770 is to essentially look to support the local businesses and our local shops in the area, so
3771 making every attempt that, I'm sure, these local shops would love to have partnerships
3772 and relationships with Enterprise. So, if we could really reach out to some of the local
3773 shops and see what they can do to become partners within this organization, that would
3774 be a, a great incentive. Because if we're giving the fleet over, we wanna utilize the local
3775 businesses as well [inaudible] service them.

3776 **Ms. C. Anthony:** Absolutely.

3777 **Chair Pro Tem Lawson:** Since they're already gonna be serviced.

3778 **Ms. C. Anthony:** Absolutely.

3779 **Chair Pro Tem Lawson:** I believe that's I had. Thank you, Madam Chair.

3780 **City Manager Evans:** And...

3781 **Chairperson Botel:** Thank you.

3782 **City Manager Evans:** And, Madam Chair, if I may to Councilperson Lawson's
3783 number, can.., or, question, can we have a list of the shops that are already partners in
3784 the City of Riviera Beach so we can provide that to the Board as well? So they're aware?

3785 **Ms. C. Anthony:** Absolutely.

3786 **Chairperson Botel:** Thank you.

3787 **Chair Pro Tem Lawson:** And, just a quick follow up. Is there any requirement, within
3788 this contract, Mr. Evans, that local shops are used?

3789 **City Manager Evans:** It's either gonna be us that's maintaining it or the local shops.
3790 So, it, it's either gonna be our fleet maintenance folks or local shops. So, they don't..,
3791 and correct me if I'm wrong, they don't expand outside, unless it's a specialty that's not
3792 provided by our operation, or a local shop.

3793 **Chair Pro Tem Lawson:** Thank you, Mr. Evans. Thank you, Christina.

3794 **Ms. C. Anthony:** Thank you.

3795 **Chairperson Botel:** Madam Clerk, we have a public comment.

3796 **City Clerk Anthony:** Lloyd Brown.

3797 **Chairperson Botel:** I think Mr. Brown ha'...

3798 **Chair Pro Tem Lawson:** He left.

3799 **Chairperson Botel:** Oh, is he outside?

3800 **Chair Pro Tem Lawson:** I think he left.

3801 **Unk.:** He's gone.

3802 **Chairperson Botel:** Okay. Thank you.

3803 **City Clerk Anthony:** That concludes public comment.

3804 **Chairperson Botel:** Thank you. Any other questions? Madam Clerk. Call the roll,
3805 please.

3806 **Councilperson McCoy:** Well, actually I do have one question.

3807 **Councilperson Miller-Anderson::** [Inaudible].

3808 **Councilperson McCoy:** So...

3809 [Chuckles]

3810 **Councilperson McCoy:** I'm sorry. I'm...

3811 **Chair Pro Tem Lawson:** [Chuckle].

3812 **Councilperson McCoy:** There was.., so, I guess it's important, Pro Tem offered an
3813 amendment. So, that was never resolved, so I know.., I wanna know where we are with
3814 that.

3815 **Chairperson Botel:** I wanna read the...

3816 **Chair Pro Tem Lawson:** So...

3817 **Councilperson McCoy:** And, and I have a question...

3818 **Chairperson Botel:** [Inaudible]...

3819 **Chair Pro Tem Lawson:** Resolution.

3820 **Councilperson McCoy:** Well, let me.., while he's locating that, Madam Chair?

3821 **Chair Pro Tem Lawson:** Public...

3822 **Chairperson Botel:** Yes, Go ahead.

3823 **Councilperson McCoy:** So, I guess, what I'm looking at is Page 16 of the presentation,
3824 the savings of \$422,000 over a eight year period is contemplated with just police vehicles?
3825 Or is that something that was contemplated with the entire fleet that we're gonna be
3826 transitioning in the future?

3827 **City Manager Evans:** Just police vehicles.

3828 **Councilperson McCoy:** Okay.

3829 **City Manager Evans:** Yeah.

3830 **Councilperson McCoy:** Alright. Well, I wanna, I guess, we're on Pro Tem's motion.

3831 **Chair Pro Tem Lawson:** Thank you, Councilman McCoy. So, colleagues, if we can go
3832 ahead and add a caveat to the Resolution to encompass lease and maintenance of Public
3833 Safety vehicles within the City. Authorizing the City Manager to negotiate with Enterprise
3834 Fleet and add that caveat.

3835 **Chairperson Botel:** Does someone wanna second that motion?

3836 **Councilperson McCoy:** Second.

3837 **Chairperson Botel:** Thank you.

3838 **Councilperson McCoy:** Well...

3839 **Chairperson Botel:** No. Wait. Go ahead.

3840 **Councilperson McCoy:** I., is there any limitations, Mr. Evans? Because, you know, I
3841 guess one of the things is, I don't wanna limit Public Safety if there is some sort of covert
3842 operation. Like, I really found out that there was law enforcement using vehicles that was
3843 registered under businesses' names and I don't., you know, the license plate were
3844 registered under business names, so it's not a traditional Public Safety vehicle, so I don't
3845 wanna... Would this, in some kinda way, limit or impair criminal investigations if we limit...

3846 **Chair Pro Tem Lawson:** Well...

3847 **Councilperson McCoy:** ...this Resolution, Chief?

3848 **Chair Pro Tem Lawson:** You just...

3849 **Councilperson McCoy:** Or...

3850 **Chair Pro Tem Lawson:** ...did, Councilman McCoy.

3851 [Chuckle]

3852 **Chair Pro Tem Lawson:** Essentially now, the, the cat's out of the bag.

3853 **City Manager Evans:** We, we...

3854 **Councilperson McCoy:** Well, well nobody really knows what the vehicle would be
3855 other than...

3856 [Chuckles]

3857 **City Manager Evans:** We, we, we would operate under the auspice of Public Safety
3858 vehicles, 'cause they are still unmarked and undisclosed vehicles...

3859 **Chair Pro Tem Lawson:** [Chuckle].

3860 **City Manager Evans:** ...prior to this evening...

3861 [Inaudible audience comment]

3862 **Councilperson Miller-Anderson:** Don't tell him anything else.

3863 [Chuckles]

3864 **City Manager Evans:** For, for the sake of this, this agreement.

3865 **Councilperson Miller-Anderson:** And there goes security.

3866 **Councilperson McCoy:** Second.

3867 **Chairperson Botel:** Okay.

3868 [Chuckles]

3869 **Chairperson Botel:** So, we're, we're voting on amending the...

3870 **Chair Pro Tem Lawson:** Amending the Resolution.

3871 **Chairperson Botel:** ...Resolution.

3872 **Chair Pro Tem Lawson:** Amending the...

3873 **Chairperson Botel:** Madam Clerk.

3874 **Chair Pro Tem Lawson:** ...Resolution to reflect City vehicles, City.., I'm sorry, Public
3875 Safety.

3876 **Chairperson Botel:** Madam Clerk.

3877 **Chair Pro Tem Lawson:** Cat's out of the bag.

3878 **City Clerk Anthony:** Councilperson McCoy?

3879 **Councilperson McCoy:** Yes.

3880 **City Clerk Anthony:** Councilperson Miller-Anderson?

3881 **Councilperson Miller-Anderson:** Yes.

3882 **City Clerk Anthony:** Councilperson Lanier?

3883 **Councilperson Lanier:** Yes.

3884 **City Clerk Anthony:** Pro Tem Lawson?

3885 **Chair Pro Tem Lawson:** Yes.

3886 **City Clerk Anthony:** Chair Botel?

3887 **Chairperson Botel:** Yes.

3888 **City Clerk Anthony:** Unanimous vote.

3889 **Police Chief Osgood:** Thank you.

3890 **Ms. C. Anthony:** Thank you.

3891 **Councilperson McCoy:** No, no. No...

3892 **Chairperson Botel:** No, no, no.

3893 **Councilperson McCoy:** ...just on the amendment.

3894 **Chairperson Botel:** That, that, that...

3895 **Councilperson McCoy:** ...We got one more.

3896 **Chairperson Botel:** ...that amended the mo'..., that amended... We still need to
3897 vote...

3898 **Councilperson McCoy:** You're gonna run...

3899 **Chairperson Botel:** ...to accept.

3900 **Councilperson McCoy:** ...outta here and...

3901 [Chuckles]

3902 **Councilperson McCoy:** Don't seal the deal.

3903 **Councilperson Lanier:** I, I wanna...

3904 [Inaudible comments]

3905 **Councilperson Lanier:** Madam Chair?

3906 **Chair Pro Tem Lawson:** [Inaudible].

3907 **Chairperson Botel:** Just, let's get it done. Go ahead, Madam Clerk.

3908 **City Clerk Anthony:** So the, the Resolution heading...

3909 **Councilperson Lanier:** Madam Chair? Madam Chair, I have a question.

3910 **Chairperson Botel:** Yes.

3911 **Councilperson Lanier:** [Audio skipped] Enterprise and their minority suppliers, are...,
3912 do we have..., are we privy to that information?

3913 **Chairperson Botel:** I'm sorry. Say... I couldn't hear you clearly.

3914 **Councilperson Miller-Anderson:** The minority list...

3915 **Councilperson Lanier:** I'm talking about the minority suppliers for Enterprise, that
3916 they do business with, in terms of, of, you know, in terms of all procurement, there needs
3917 to be minority business supplier clause with this procurement. With all procurement. I
3918 think I heard someone say something about..., said something about..., or just..., they were

3919 talking about the Police Department, but then they [stammer] now you guys are adding
 3920 Public Works. Is that it?

3921 **Chairperson Botel:** No, no. No.

3922 **Chair Pro Tem Lawson:** Public Safety.

3923 **Chairperson Botel:** We, we limited.., we limited this Resolution to, exclusively...

3924 **Chair Pro Tem Lawson:** Public Safety.

3925 **Chairperson Botel:** ...Public...

3926 **Councilperson Miller-Anderson:** Public Safety.

3927 **Chairperson Botel:** ...Safety.

3928 **Chair Pro Tem Lawson:** Public Safety.

3929 **Councilperson Lanier:** For Public Safety. Okay.

3930 **Chairperson Botel:** Right.

3931 **Councilperson Lanier:** Okay. I understand.

3932 **Chairperson Botel:** Right, right. Okay? Okay. Madam Clerk.

3933 **City Clerk Anthony:** Madam Chair, Members of the Board, the Resolution heading
 3934 will now read, 'Resolution Number 88-20. A Resolution of the City Council of the City of
 3935 Riviera Beach, Palm Beach County, Florida, authorizing the Mayor and City Clerk to
 3936 execute an open-end master lease agreement with Enterprise Fleet Management, for the
 3937 leasing and maintenance of Public Safety vehicles, authorizing the City Manager to
 3938 negotiate with Enterprise Fleet Management and to facilitate the ongoing replacement of
 3939 Public Safety vehicles in an amount not to exceed the City's annual capital fleet budget
 3940 allocation; authorizing the Direct of Finance and Administrative Services to make annual
 3941 lease and maintenance payments for the same; and providing an effective date.

3942 **Chairperson Botel:** Would someone please make a motion to...

3943 **Councilperson Miller-Anderson:** Well, we already...

3944 **Chair Pro Tem Lawson:** Motion to accept.

3945 **Councilperson Miller-Anderson:** ...voted on it, didn't we?

3946 **Chairperson Botel:** No, no. We didn't vote on this. We voted on changing it. So,
 3947 now we have...

3948 **Councilperson McCoy:** But...

3949 **Chairperson Botel:** ...to vote on [inaudible]...

3950 **Chair Pro Tem Lawson:** Motion to accept the amended Resolution.

3951 **Councilperson McCoy:** Second.

3952 **Chairperson Botel:** Thank you. Madam Clerk.

3953 **City Clerk Anthony:** Councilperson Miller-Anderson?

3954 **Councilperson Miller-Anderson:** Yes.

3955 **City Clerk Anthony:** Councilperson Lanier?

3956 **Councilperson Lanier:** Yes.

3957 **City Clerk Anthony:** Councilperson McCoy?

3958 **Councilperson McCoy:** Yes.

3959 **City Clerk Anthony:** Pro Tem Lawson?

3960 **Chair Pro Tem Lawson:** Yes.

3961 **City Clerk Anthony:** Chair Botel?

3962 **Chairperson Botel:** Yes.

3963 **City Clerk Anthony:** Unanimous vote.

3964 **Ms. K. Williams:** Thank you.

3965 **Chairperson Botel:** Thank you.

3966 **Ms. C. Anthony:** Thank you again.

3967 **Chairperson Botel:** Thank you.

3968 **Councilperson McCoy:** Done.

3969 **Chairperson Botel:** Okay.

3970 **DISCUSSION AND DELIBERATION**

3971 **DISCUSSION BY CITY MANAGER**

3972 **Chairperson Botel:** Discussion by City Manager.

3973 **City Manager Evans:** Just glad to see your smiling faces behind your masks. I'm

3974 glad that we're, we're back and we're doing so safely.

3975 So, that...

3976 **Chairperson Botel:** Thank you.

3977 **City Manager Evans:** ...concludes my comments.

3978 **DISCUSSION BY CITY ATTORNEY**

3979 **Chairperson Botel:** Discussion by City Attorney.

3980 **City Attorney Wynn:** No comments, Madam Chair.

3981 **Chairperson Botel:** Thank you.

3982 **CITY COUNCIL COMMITTEE REPORTS**

3983 **Chairperson Botel:** City Council committee reports? Any reports from City
3984 Council? I just have a couple. September 23rd, I attended the Palm Beach County
3985 Leagues of Cities general membership. September 24th, I attended the Economic
3986 Development committee meeting of the Palm Beach North Chamber. We had a very
3987 interesting presentation from the Chief Economist and the Director of Research from the
3988 Florida Chamber about the minimum wage. We don't agree, we don't agree necessarily
3989 on what she said. I think Mr. Evans was there. If I, if I recall correctly. September 28th, I
3990 was at the Housing Authority meeting. October 1st, I was with the Palm Beach North
3991 Chamber Education Committee. This is important because we learned a couple of things.
3992 One, that if you are a parent in Riviera Beach, you have until October...

3993 **Councilperson Miller-Anderson:** 15.

3994 **Chairperson Botel:** ...5th, to make your... Well...

3995 **Councilperson Miller-Anderson:** [Inaudible] 15th.

3996 **Chairperson Botel:** 'Til.., the 14th is the first semester final selection is due. The
3997 window closes on Wednesday, October 14th. The first semester final selection date for
3998 parent student decisions about their desired learning platform. So, if you wanna go virtual
3999 all the way, if you wanna go brick and mortar, you have to make that decision by Octo'..,
4000 October 14th. We also learned about Neuro Explorer's program. I put the information on
4001 my website, on my.., excuse, Facebook Page. If you're interested in attending the
4002 advancing stem community engagement through neuroscience discovery program, it's
4003 virtual. The program fee is \$50 and I'm willing to front that \$50 for any student.., any
4004 middle school student in Riviera Beach who would like to attend that FAU program
4005 virtually.

4006 I think that's it for me.

4007

4008 **STATEMENTS BY THE MAYOR AND CITY COUNCIL**

4009 **Chairperson Botel:** Statements by the Mayor and City Council. We'll start with
4010 the Mayor.

4011 **Mayor Felder:** Yeah. Just one thing. I don't think I'm... Can, can you hear me?

4012 **Chairperson Botel:** Not really. Could you...

4013 **Mayor Felder:** Hello?

4014 **Chairperson Botel:** Walter, could... Where'd he go?

4015 **Mayor Felder:** Walter's gone.

4016 **Chairperson Botel:** Borrow..., borrow Mr. Evans'.

4017 [Chuckles]

4018 **Mayor Felder:** Okay.

4019 **Chairperson Botel:** Walter went home for the night. Borrow Mr. Evans'.

4020 **Mayor Felder:** Can you turn me, Walt?

4021 **Chairperson Botel:** Or shout.

4022 **City Clerk Anthony:** Can we turn the mic up for the, the...

4023 **Mayor Felder:** I, I have one. Just want the community to, to know, we're still having
4024 COVID-19 free testing at JAYS Ministries on Tuesday and Thursday from 9:00 o'clock to
4025 5:00 o'clock. That's 2831 Avenue S. The phone number is 842-4276. Free COVID
4026 testing every Tuesday and Thursday.

4027 Thank you.

4028 **Chairperson Botel:** Thank you. Ms., let's do Ms. Lanier, lest I forget that she's
4029 up there.

4030 **Councilperson Lanier:** Yeah. Ya'll forgot me all night. That's okay though. I just
4031 wanted to say that., I really wanted to commend the Mayor for their Tuesdays and
4032 Thursdays COVID testing. I've been referring people to that site. People are very, very
4033 happy that the results come back in a day or two. It is a very quick and easy directive at
4034 JAYS Ministry, and you can rest assured that you will have your results back in a day or
4035 so.

4036 I also wanted to say the City of Riviera Beach is planning a testing for the end of
4037 this month. We have not set a date yet, but we are going to try and have at least one
4038 testing per month, through the City, so that people can be able to access testing. People

4039 are going back out. You know, Florida has surpassed 15,000 deaths in COVID. The,
4040 the..., Palm Beach County has about 5,000. We have a..., the newest cases is not that the
4041 cases are going up, but they are steady and we need to be ever vigilant in terms of how
4042 we do business and how we protect ourselves. But, of course, testing is key to making
4043 sure that you stay healthy.

4044 **Chairperson Botel:** Thank you. Councilwoman Miller-Anderson.

4045 **Councilperson Miller-Anderson:** I just wanted to make a comment that he calling
4046 of the roll for the voting is not going in order by Districts. I just wanted to make sure we
4047 put that on record, that it continues to change, and I would like to know when we will be
4048 consistent with that.

4049 **Chairperson Botel:** Thank you.

4050 **Councilperson Miller-Anderson:** Thank you.

4051 **Chairperson Botel:** Councilwoman..., Councilman Lawson. Sorry.

4052 **Chair Pro Tem Lawson:** Thank you, Madam Chair. I just wanna make a couple
4053 announcements. Going to be hosting a Protest to the Polls caravan on October 18th. It's
4054 a day before early voting starts. And, we're gonna be starting the location at 748 West
4055 9th Street at 2:30 p.m. So, if everyone can please join. We're gonna have a caravan
4056 around the community. Similar to the Census parade that was hosted by the City, but
4057 we're gonna be caravanning to encourage people to get out and vote. We have families
4058 from..., we have families Corey Jones, Trayvon Martin, Ahmaud Arbery's, that are gonna
4059 participate in the actual caravan with us. And I would love for my colleagues to come out
4060 if they can attend, and also the residents to come. This is gonna be a motivation for our
4061 City to get out and get out and vote.

4062 October 27th, we're gonna be starting back our virtual Mental Health in the Minority
4063 Community. We're gonna try to go back in person in November, if our numbers decrease
4064 and if it's safe enough with social distancing. But, we will have our virtual sessions, which
4065 is gonna be free to all of our residents. We're gonna have about eight different therapists
4066 that are there to just kinda..., to fellowship, to have a circle, a network of people that they
4067 can have a conversation with. And it's gonna be Mental Health in the Minority Community,
4068 hosted by Mind Over You, with Essa Allen.

4069 And, the Bridge, which is the community conversation with our, our Police
4070 Department. We're actually gonna be having that at the end of this month, October 29th.
4071 So, we're gonna be having a virtual session as well to get updates to the community as
4072 to what we've done and what we've accomplished in regards to these conversations with
4073 our State Attorney's Office, and our Police Chief, and our surrounding municipalities' law
4074 enforcement.

4075 Thank you, Madam Chair.

4076 **Chairperson Botel:** Thank you. Mr. McCoy.

4077 **Councilperson McCoy:** I have nothing, Madam Chair.

4078 **Chairperson Botel:** Thank you. I will also be at New Macedonia Church at 1:30
4079 on October 18th to kick that meeting off. And, please don't forget to register for the Palm
4080 Beach State College credit courses. They're free if you qualify for financial aid or, or if
4081 you work for the City of Riviera Beach. You can email stbrown@rivierabeach.org or call
4082 561-388-3935 if you're interested in registering.

4083 The water is back. Thank goodness. On the north end of Singer Island, but we
4084 do have a boil water notice for North Ocean Drive. You can look on the City's website to
4085 find the addresses. They go from 5310 all the way up to 55550, so you're under a boil
4086 water notice in those addresses. I wanna thank the Utility District Staff who worked
4087 through the night, the other night, to fix that problem. I know it was a very difficult problem
4088 to fix and I really appreciate it. And I'm sure the residents up there appreciate the fact
4089 that they now have water.

4090 We're having a build a garden bed for the Singer Island community garden. Yvette
4091 will be looking for volunteers who are willing to do some woodworking over at North Tech
4092 on Friday, starting.., I think this Friday from 6:00 to 9:00 and then also on Sundays. We
4093 will be doing social distancing and wearing masks. And if you're interesting in
4094 participating in building those raised beds for the garden, that would be great.

4095 And I did get an email from.., about Reverend Thickett's Soul to the Box program.
4096 If you are interested in participating, there's a Zoom meeting this Thursday, October 8th
4097 at 7:00 p.m. [Inaudible]. That's tomorrow, but if you're interested, please contact Sam
4098 Brown at stborwn@rivierabeach.org and he can give you the information on this Souls to
4099 the Box program, where you, you can drop off your ballot at various churches in the
4100 community.

4101 And that's all for me.

4102 **ITEMS ADDED LATE**

4103 **ADJOURNMENT**

4104 **Chairperson Botel:** Would someone care to make a motion to adjourn?

4105 **Chair Pro Tem Lawson:** Motion to adjourn meeting.

4106 **Chairperson Botel:** Second?

4107 **Councilperson Miller-Anderson:** I second.

4108 **Chairperson Botel:** Thank you. Madam Clerk.,

4109 [Inaudible comments]

4110 **Chairperson Botel:** Madam Clerk.

4111 **City Clerk Anthony:** Councilperson McCoy?
4112 **Councilperson McCoy:** Yes.
4113 **City Clerk Anthony:** Councilperson Miller-Anderson?
4114 **Councilperson Miller-Anderson:** Yes.
4115 **City Clerk Anthony:** Councilperson Lanier?
4116 **Councilperson Lanier:** No. I'm not ready yet.
4117 **Chairperson Botel:** [Chuckle]. Stop.
4118 **Unk.:** Yes, you are.
4119 **Chairperson Botel:** Stop.
4120 **City Clerk Anthony:** Pro Tem Lawson?
4121 **Unk.:** You're outvoted.
4122 **Chair Pro Tem Lawson:** Yes.
4123 **City Clerk Anthony:** Chair Botel?
4124 **Chairperson Botel:** You're outvoted.
4125 [Inaudible comments]
4126 **Chairperson Botel:** Yes.
4127 [Gavel]
4128 **Chairperson Botel:** We're adjourned. Thank you.
4129 [End of video]

4130 **City Employees, Public Comment Speakers and 32:07 Others**

4131 Fane LozmanMr. F. Lozman

4132 Lloyd BrownMr. L. Brown

4133 Development Services Director Clarence SirmonsDevelopment Services Director

4134 Sirmons

4135 Schmidt Nichols Josh NicholsMr. J. Nichols

4136 J.B. Dixon.....Ms. J.B. Dixon

4137 Andrew Bauman, Esq.....Mr. A. Bauman

4138 Interim Human Resources Director Eureka YoungInterim Human Resources Director

4139 Young

4140 Interim Public Works Director Terrence Bailey.....Interim Public Works Director

4141 Bailey

4142 Procurement Director Althea PemselProcurement Director Pemsel

4143 Assistant City Attorney Lina BusbyAssistant City Attorney Busby

4144 Chief of Police Nathan OsgoodPolice Chief Osgood

4145 Enterprise Fleet Management Christina AnthonyMs. C. Anthony

4146 02:48:40

4147

4148 **APPROVED:**

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4153 **RONNIE L. FELDER**
4154 **MAYOR**

JULIA A. BOTEL, Ed.D
CHAIRPERSON

4155

4156 **ATTEST:**

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4160

4161 **CLAUDENE L. ANTHONY**
4162 **CERTIFIED MUNICIPAL CLERK**
4163 **CITY CLERK**

DOUGLAS A. LAWSON
CHAIR PRO TEM

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4180 **MOTIONED BY:** _____

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4182 **SECONDED BY:** _____

4183

4184 **T. MCCOY** _____

4185 **K. MILLER-ANDERSON** _____

4186 **S. LANIER** _____

4187

4188 **J. BOTEL** _____

4189

4190 **D. LAWSON** _____

4191

4192 **DATE APPROVED:** DECEMBER 2, 2020

TRADRICK MCCOY
COUNCILPERSON

KASHAMBA MILLER-ANDERSON
COUNCILPERSON

SHIRLEY D. LANIER
COUNCILPERSON