
Riviera Beach Special City Council Meeting

Via Communication Media Technology

Riviera Beach, Florida

June 1, 2020

APPEARANCES:

Mayor Ronnie L. Felder

Chair Julia A. Botel

Chair Pro-Tem Douglas A. Lawson

Councilperson Shirley D. Lanier

Councilperson Douglas A. Lawson

Councilperson Tradrick McCoy

Councilperson Shirley D. Lanier

Councilperson KaShamba Miller-Anderson

City Manager Jonathan Evans

City Clerk Claudene L. Anthony, CMC

1 CHAIR BOTEL: I'd like to call to order the Special City
2 Council Meeting for Riviera Beach on June 1st at 6:31 p.m.

3 Madam Clerk, would you call the roll, please.

4 THE CLERK: Mayor Ronnie Felder.

5 MAYOR FELDER: Here.

6 THE CLERK: Chairperson Julia Botel. Chairperson Julia
7 Botel.

8 CHAIR BOTEL: Oh. I said here. Did you not hear me?

9 THE CLERK: Chair Pro-Tem Douglas Lawson.

10 COUNCILPERSON LAWSON: Here.

11 THE CLERK: Councilperson Tradrick McCoy.

12 COUNCILPERSON McCOY: Here.

13 THE CLERK: Councilperson KaShamba Miller-Anderson.

14 COUNCILPERSON MILLER-ANDERSON: Present.

15 THE CLERK: Councilperson Shirley Lanier. (No audible
16 response on recording.)

17 City Manager Jonathan Evans.

18 CITY MANAGER EVANS: Present.

19 THE CLERK: City Clerk Claudene Anthony is present.

20 City Attorney Dawn Wynn.

21 CITY ATTORNEY WYNN: Here.

22 THE CLERK: You may proceed.

23 CHAIR BOTEL: Thank you. We'll have a moment of silence
24 followed by the Pledge of Allegiance read by Councilwoman
25 Miller-Anderson.

(Moment of silence. Pledge of Allegiance recited.)

CHAIR BOTEL: Thank you.

Any member of the public wishing to comment publicly on any matter, including items on the agenda, shall submit their comments by e-mail to Clerk Claudene Anthony at PUBLICCOMMENTS@RIVIERABEACH.ORG. The e-mail shall contain the applicable agenda item numbers along with the precise wording to be read into the record; explicit language willing not be read. E-mails without applicable agenda item numbers will be read under the general public comment section. Be advised, public comments will be accepted for each applicable item and the general public comment section until closure is announced by the chairperson or the city clerk.

All e-mail addresses and submitted comments are and will be public record.

The city clerk or designee shall read public comments into the record at the appropriate time for no more than three minutes.

If you have any questions, please contact the city clerk's office at 561-845-4090 or e-mail CROBINSON@RIVIERABEACH.ORG.

Do we have any public comments, Madam Clerk?

THE CLERK: No, Madam Chair.

CHAIR BOTEL: Do we have any additions, deletions or substitutions?

Do we have any disclosures by council?

1 Then we can move to -- can someone move to adopt the
2 agenda?

3 COUNCILPERSON LANIER: So moved.

4 COUNCILPERSON LAWSON: So moved.

5 CHAIR BOTEL: Second?

6 COUNCILPERSON LAWSON: Second.

7 THE CLERK: Councilperson McCoy.

8 COUNCILPERSON McCOY: Yes.

9 THE CLERK: Councilperson Miller-Anderson.

10 COUNCILPERSON MILLER-ANDERSON: Yes.

11 THE CLERK: Councilperson Lanier.

12 COUNCILPERSON LANIER: Yes.

13 THE CLERK: Pro-Tem Lawson.

14 COUNCILPERSON LAWSON: Yes.

15 THE CLERK: Chair Botel.

16 CHAIR BOTEL: Yes.

17 THE CLERK: Unanimous vote.

18 CHAIR BOTEL: Thank you. Mr. Evans.

19 CITY MANAGER EVANS: Madam Chair, if you can allow for the
20 mayor to start the meeting.

21 CHAIR BOTEL: Thank you. Mayor Felder.

22 MAYOR FELDER: Yes. Thank you, Madam Chair.

23 Just thank you guys for coming on at such a short notice.

24 At the meeting this morning I had with Mr. Evans and
25 Attorney Wynn and Chief Curd and Chief Osgood, we were talking

1 about the events that happened in the City of Riviera Beach;
2 some of the concerns that we have that may come to Riviera
3 Beach. You know, I think it would be a good idea to run it to
4 be -- to take a proactive stance. Knowing that even myself
5 today getting texts that a group of people is coming over,
6 allegedly coming to the City of Riviera Beach to do some
7 movement in Riviera Beach, Singer Island and Lake Park.

8 And so after speaking with the manager, just asking him
9 maybe if he could put something together, if we can come up with
10 a curfew that goes along with West Palm Beach. I also think
11 Lake Park is waiting to see what we do.

12 And we've been getting reports that a group of people are
13 coming through our city. And just taking a proactive stance to
14 see if we can (inaudible) curfew, give our officers a better
15 chance to handle the situation if that will be.

16 So that's why I called this meeting.

17 Mr. Evans.

18 CITY MANAGER EVANS: Thank you, Mr. Mayor and Members of
19 the Council.

20 Based on the information that staff has been able to obtain
21 through multiple sources, through social media as well as
22 working with our partners in law enforcement, we think it is
23 only prudent that we proceed forward with instituting a curfew
24 for at least a 72-hour period.

25 Chief Osgood participated in a conference call with his

1 peers today, and it's already been communicated to me that
2 Gardens has instituted a curfew.

3 I have spoken to the City Manager of Mangonia Park, who has
4 requested the emergency order that we are looking for the Board
5 to consider this evening.

6 Lake Park is moving forward with a curfew starting this
7 evening.

8 And West Palm moved forward with theirs on Sunday.

9 The intent is to be able to address the potential for any
10 activity in our community. We are consolidating our shifts.
11 Usually we run four shifts. We're going to be running an alpha
12 and bravo shift to be able to put additional resources on the
13 ground.

14 There are certain elements that we will refrain from
15 discussing as part of the presentation as it is intended to
16 protect the health safety and welfare of the public. But staff
17 is prepared to answer any question and urges the City Council to
18 allow for the executive order for the Mayor to sign to institute
19 the curfew starting this evening at nine p.m.

20 CHAIR BOTEL: Thank you. Any questions from council?

21 COUNCILPERSON LANIER: Yes. I'd like to ask the Chief of
22 Police to weigh in on this issue.

23 CITY MANAGER EVANS: Chief Osgood, if you can.

24 CHIEF OSGOOD: Yes. I'm coming on now. Can you hear me?

25 CHAIR BOTEL: Yes.

1 CHIEF OSGOOD: All right. So -- here we go. I think it's
2 necessary to have a curfew, to enact the curfew, to protect the
3 property and lives.

4 Over the past few days we've had nothing but civil unrest,
5 where we ask -- we understand the protests as long as it's
6 peaceful. Lately they haven't all been peaceful. They've been
7 going through and they've been direct to say what they want to
8 do.

9 We got information from Intel and it's passed on to the
10 fusion center, which is our intel center, to say that they are
11 going to meet at certain stores to do a protest. Now they want
12 to do protests at closed businesses in the city. Now we know
13 that kind of protest is going to lead to nothing but criminal
14 mischief, vandalism and theft of property, and looting, in other
15 words. So I totally support the curfew. And we are ready,
16 prepared with manpower to enforce the curfew.

17 I've spoken to Chief DeMario, who is the number two at the
18 Sheriff's Office, surrounding police chiefs in the area, to let
19 them know that this is the direction that we're heading in; and
20 we would like to get their support also, or you guys, because
21 once we enact a curfew, we know they're going to start moving
22 off to other cities. And from what I gather, they're all are
23 looking to do the exact same thing, to put together -- put in a
24 curfew to disperse.

25 Now, arrests will be last options. We want to give

1 everybody an opportunity to disperse and go home, to go about
2 their business. We're going to use discretion. We're not just
3 grabbing people off the street because they're walking. This is
4 about the crowd gatherings, and they're gathering to do what, to
5 cause -- to wreak havoc on businesses, to damage property, this
6 is what it's about.

7 CHAIR BOTEL: Chief, I have a question. Will Palm Beach
8 Shores -- you've been in touch with the Sheriff's Office -- will
9 Palm Beach Shores also be starting a curfew?

10 CHIEF OSGOOD: That's my understanding, yes, ma'am.

11 And first off, where's my manners. I forgot to say good
12 evening to the Council Members and the Mayor and the Chair,
13 thank you, and the City Manager.

14 I got to tell you, not only Palm Beach Shores, Palm Beach
15 Gardens, North Shores, I've been in touch with them and they're
16 all looking to do curfews.

17 CHAIR BOTEL: I saw the one from Palm Beach Gardens,
18 they're starting at 11:00, I think.

19 CHIEF OSGOOD: They were looking at 10. So it may go to
20 11.

21 CHAIR BOTEL: Okay. The person that said it to me said 10,
22 but that doesn't matter.

23 If this goes beyond the weekday, into the weekend, can we
24 consider -- will we be considering starting at not nine but
25 perhaps a little bit later, just to enable the restaurants on

1 the island to be able to work a little bit later?

2 CITY MANAGER EVANS: We'll have to play it by ear. But
3 certainly if we allow for the restaurants to stay open later on
4 in the evening it is going to be a situation where they're going
5 to convene at the restaurant and then after that it's going to
6 continue to put a drain on resources to be able to manage that.
7 So our recommendation is to be in lock step with the other
8 municipalities directly adjacent to us.

9 CHAIR BOTEL: Okay. Thank you.

10 Any other questions?

11 COUNCILPERSON LANIER: Yeah. I just wanted to ask one
12 other follow-up question. I wanted to know that even though we
13 are considering enacting a curfew, is the City Manager or City
14 administration considering any type of assistance to people who
15 want to protest peacefully? To assist people with those types
16 of needs to be able to protest peacefully?

17 CITY MANAGER EVANS: With regards to any peaceful protest,
18 we have had small pockets of folks coming out to protest. But
19 if individuals reached out to us, we would facilitate and
20 provide a location that we would recommend for them to be at
21 with regards to that. And even assist to facilitate safe
22 demonstrations in our community. That's not something that we
23 want to deter folks from because that is their right. And so we
24 would help facilitate that as much as possible.

25 CHAIR BOTEL: Thank you.

1 COUNCILPERSON LANIER: I think that -- another follow up to
2 that. I just think that maybe the City needs to put something
3 out like that, saying that if you want to peacefully protest, if
4 you want to be able to, you know, voice your opinion, voice your
5 frustrations, voice your anger, voice whatever it is, that the
6 City will assist you in doing these type of peaceful protests in
7 our city.

8 CHAIR BOTEL: Thank you.

9 Mr. McCoy. I don't know if they're going to answer
10 Ms. Lanier, so I'll just move on to Mr. McCoy.

11 COUNCILPERSON McCOY: Thank you, Madam Chair.

12 So I, I want to speak to I guess the author of the proposed
13 declaration that we have in front of us, that would be who
14 exactly?

15 CITY MANAGER EVANS: That would be legal.

16 CITY ATTORNEY WYNN: Yes. Good evening.

17 COUNCILPERSON McCOY: So, a couple things. So first off,
18 you know, our largest tax base popula -- well, our largest tax
19 base comes from businesses in the industrial area. There's no
20 provision for those particularly in and around the Garden Road
21 industrial area that actually have 24-hour operations.

22 And I'm particularly concerned -- there is a provision that
23 gives a car route for emergency personnel and that sort of
24 thing.

25 And there needs to be some clear descriptive definition of

1 what the public means. Because, you know, if someone is
2 standing in their yard I would hope that that's not considered
3 being in the public. If they're standing on the sidewalk in
4 front of their home, that shouldn't be considered as public.

5 But I would hope that there's some clarity to this order.
6 I guess to this declaration, because it's not clear. That's the
7 first question.

8 CITY ATTORNEY WYNN: Mr. McCoy, this is a standard
9 emergency declaration. The curfew provisions follow that to the
10 word of Florida Statutes.

11 Regarding the local businesses, if people are travelling to
12 and from work they're exempt from the curfew. If they are
13 travelling to and from work and they're stopped by our law
14 enforcement, they will be asked to show identification. But if
15 they're travelling to and from work they're exempt from this
16 order.

17 COUNCILPERSON McCOY: And what happens if they can't
18 establish identification?

19 CITY ATTORNEY WYNN: If they're driving they should have
20 identification anyway.

21 COUNCILPERSON McCOY: Well, Ms. Wynn, I'm speaking of
22 generally. Is this a criminal offense? Is it a civil offense?

23 CITY ATTORNEY WYNN: A violation of the curfew is a, a
24 misdemeanor.

25 COUNCILPERSON McCOY: Okay. And what's -- what exactly

1 would that violation be?

2 CITY ATTORNEY WYNN: It's usually -- it's a fine of up to
3 \$500 and six months -- up to six months in jail.

4 COUNCILPERSON McCOY: So, I mean, is the charge violation
5 of curfew? I mean, I was looking for a little bit more
6 specifics.

7 CITY ATTORNEY WYNN: Yes. It's in Florida Statutes and it
8 is a violation of the curfew, and it's a misdemeanor of the
9 first degree.

10 COUNCILPERSON McCOY: So this calls for the Mayor to
11 execute this. Why is this the case? Because the charter
12 provides the Mayor to take control of the police department.

13 CITY ATTORNEY WYNN: With the consent of the City Council.
14 Excuse me.

15 COUNCILPERSON McCOY: Okay. So is that the authority we're
16 giving the Mayor right now, by agreeing to this?

17 CITY ATTORNEY WYNN: Yes.

18 COUNCILMAN McCOY: Okay. So -- (Inaudible).

19 CITY ATTORNEY WYNN: No, all the Mayor is asking for is
20 the, is the ability -- the mayor has several powers. One of
21 them is the ability to call for a curfew. That's what he's
22 asking for. He's not asking to take control of the police, of
23 the law enforcement. He's not looking --

24 COUNCILPERSON McCOY: So can you provide --

25 CITY ATTORNEY WYNN: -- to exercise his military powers.

1 COUNCILPERSON McCOY: Okay. So what section of the charter
2 is that, Ms. Wynn? Because --

3 CITY ATTORNEY WYNN: Section 15.

4 COUNCILPERSON McCOY: Okay. Next question. And I -- while
5 I'm pulling section 15, particularly read the resolution we
6 authorized in March, allows the manager the powers, including
7 but not limited to call a curfew. Why isn't this something that
8 is already vested with the manager? Because -- well, that's my
9 first question. Why can't the manager call it?

10 Because I have a specific concern regarding us voting on
11 something like this.

12 CITY ATTORNEY WYNN: Because that resolution, that
13 emergency declaration, was specific to COVID-19.

14 COUNCILPERSON McCOY: Okay.

15 CITY ATTORNEY WYNN: This is totally separate.

16 COUNCILPERSON McCOY: But that's not -- well, let me read
17 exactly what the resolution says, because I have it here.

18 The City Manager or designees are hereby empowered,
19 authorized and directed to exercise such emergency powers
20 necessary to carry out the provisions of Chapter 252 Florida
21 Statutes to provide for the health, safety of persons and
22 property, including but not limited to establishing a curfew or
23 to restrict travel and movement within the city. So is that not
24 something that can be encompassed under the current local state
25 of emergency?

1 CITY ATTORNEY WYNN: The state of emergency that I am
2 proposing is under Florida Statute 870.042 and 870.043, which
3 deals with -- the title of it is Affrays; Riots; Routs; and
4 Unlawful Assemblies.

5 COUNCILPERSON McCOY: Okay. But does that have to be then
6 validated or confirmed by City Council?

7 CITY ATTORNEY WYNN: Under -- again, you have to read all
8 of this together. The only reason that we have to bring this to
9 you all is because the charter says under the provisions for the
10 Mayor that he may in a time of public danger or emergency, with
11 the consent of City Council, take command of the police and
12 maintain order and enforce the laws.

13 However, I specifically left out the language in this draft
14 regarding command of the police.

15 COUNCILPERSON McCOY: So -- okay. And if we take that
16 section by section, in a time of public danger -- which I
17 believe the Manager, the Chief, and also the Mayor, has already
18 represented that this will probably be one of those times of
19 danger or emergency -- with the consent of Council. What
20 exactly is he doing from this point on? Because you said he's
21 not taking command of the police. Is he maintaining order? Is
22 that the role of the mayor in this (inaudible)?

23 CITY ATTORNEY WYNN: By signing the curfew order, yes.

24 COUNCILPERSON McCOY: Okay. And then that is now being
25 delegated to the Manager for execution?

1 CITY ATTORNEY WYNN: The Chief of Police will execute on
2 the curfew. Not the Manager. Only the Mayor has the authority,
3 the Mayor with the consent of the Council, to order a curfew.

4 COUNCILPERSON McCOY: Okay. That's all I have. Thank you.

5 CHAIR BOTEL: Thank you.

6 Any questions from anyone else?

7 Do we need to make a motion, Mr. Evans? A motion to --

8 COUNCILPERSON MILLER-ANDERSON: I had a question but I
9 forgot what it was.

10 CHAIR BOTEL: Ms. Miller-Anderson.

11 COUNCILPERSON MILLER-ANDERSON: I forgot what it was
12 though. (Inaudible).

13 COUNCILPERSON LANIER: I'd like to make a motion that we
14 approve the curfew -- and before I make this motion, I want to
15 be clear about the -- did it say it in the resolution that it
16 was 72 hours?

17 CITY ATTORNEY WYNN: Yes.

18 COUNCILPERSON LANIER: Okay. To make a motion for 72
19 hours, it expires in 72 hours, for the City of Riviera Beach,
20 for a curfew from nine p.m. to six a.m. for this city.

21 CHAIR BOTEL: Can we get a second?

22 COUNCILPERSON MILLER-ANDERSON: Second. And I remembered
23 what I wanted to say.

24 CHAIR BOTEL: Is it all right if we vote on it or do you
25 want to say something first?

1 COUNCILPERSON MILLER-ANDERSON: No, I just -- we just
2 voted, so I'll say it now. I don't know if the manager --

3 CITY ATTORNEY WYNN: We haven't voted on it yet. This is
4 just a motion and a second on the floor, just to be clear.

5 COUNCILPERSON MILLER-ANDERSON: But I can comment, right?

6 CITY ATTORNEY WYNN: You can. She hasn't called the roll
7 though.

8 COUNCILPERSON MILLER-ANDERSON: Right. Okay. For the
9 Chief or Mr. Evans, with the -- if the Sheriff's Department has
10 to come in and assist us, are they on the same page in terms of
11 what kind of -- what type of enforcement we're -- you know, what
12 is our game plan?

13 CITY MANAGER EVANS: Chief, if you can talk to your
14 coordination with other law enforcement agencies as we started
15 discussing this matter this morning.

16 CHIEF OSGOOD: Yes. We spoke to the other law enforcement
17 agencies, and we have to enforce the curfew. First and foremost
18 I asked for them to make sure the jails can cover people that we
19 bring in. In other words, if we have to bring in people,
20 they're ready for them.

21 Talking to our surrounding agencies, if we need support
22 from our surrounding municipalities they're going to give us
23 support. They're going to come over -- and we also offered them
24 support. And we supported the City of West Palm last night. So
25 if we need to get support from any agency, the Sheriff's Office

1 included, we call them, they're going to come out. And the same
2 that goes from us to them.

3 COUNCILPERSON MILLER-ANDERSON: Right. I understand that
4 part. I guess in terms of, to what level of enforcement -- I
5 mean, I know we need to enforce the curfew, that without a
6 question. But I'm saying in terms of how stringent -- like, are
7 there warnings -- like Mr. McCoy was just saying, if you're in
8 your yard, if you're in your yard for example, you know, Riviera
9 is going to say, hey, we don't --

10 CHIEF OSGOOD: We already discussed rules of engagement.
11 And basically, if a person is in their yard, even walking down
12 the street, the block, we're not enforcing that.

13 We're looking mainly at those crowds that have congregated
14 and they're walking towards businesses. Closed businesses, at
15 that.

16 People who are hanging out in their front yard, we'll do
17 what we always do, wave at them and keep on going. Even if --

18 COUNCILPERSON MILLER-ANDERSON: Right. And I just wanted
19 to make sure that even that agency is aware of that -- what
20 we're doing. You know, other agencies may have different --

21 CHIEF OSGOOD: No, we also -- I spoke to several chiefs
22 today, and we know -- we all know that the curfew is a last
23 resort, and civil arrest, to keeping the peace. So what we want
24 to do -- and I have to say, an arrest is a last resort as well.
25 We're going to do everything possible to give several warnings

1 to get people to break up and move on. And I think the warnings
2 well help to get the crowd to disperse or to go ahead and move
3 on.

4 COUNCILPERSON MILLER-ANDERSON: Yeah, I just want to make
5 sure that everybody is on the same page. You know, that might
6 be what Riviera is planning to do; I just want to make sure the
7 coordination of the other agencies that will come in and have
8 that same thought process when moving forward with anything.

9 CHIEF OSGOOD: As it pertains to the City of Riviera Beach,
10 if we get support from outside agencies we are the lead. The
11 captain is on duty, I'm here, and a major on duty. We are the
12 lead no matter who we get to come in and support us. Whether
13 it's the sheriff or any surrounding agency, they're going to
14 follow our lead, they're going to follow our (inaudible) under
15 arrest, give that individual a chance to move on. Or even if we
16 had to put handcuffs on a person, we can always take the
17 handcuffs off. That (inaudible) hey, I get it, I want to go
18 home; you can take the handcuffs off that person and go on.
19 You're not a lead in our city, to what they may do in the city.
20 And if we happen to participate in their city, they are the
21 lead.

22 COUNCILPERSON MILLER-ANDERSON: Okay. All right. Thank
23 you.

24 COUNCILPERSON McCOY: Follow up.

25 CHAIR BOTEL: Mr. McCoy.

1 COUNCILPERSON McCOY: Ms. Wynn, Mr. -- or Chief, I should
2 say, does a person travelling at the 9:00, in their vehicle, or
3 even walking down the sidewalk, does that in itself present a
4 presumption of probable cause to detain a person?

5 CHIEF OSGOOD: No, sir, it does not.

6 COUNCILPERSON McCOY: So just merely driving your vehicle
7 after 9:00, this doesn't authorize the police to initiate a
8 traffic stop?

9 CHIEF OSGOOD: We're not going to be stopping for a person
10 going to and from location if they're driving their cars. It
11 would have to be something direct, sir. The curfew ordinance is
12 pretty broad.

13 If you're asking whether or not legally can you make that
14 stop, yes, legally you can. But that's not something we're
15 going to do; that's not in our rules of engagement. The rules
16 of engagement, where a crowd congregating, going towards a
17 certain business.

18 COUNCILPERSON McCOY: I understand that. But it does, I
19 guess -- so you said both. So it can present a presumption of
20 probable cause for an officer to stop somebody that's driving at
21 9:45 in the evening?

22 CHIEF OSGOOD: It could, yes.

23 COUNCILPERSON McCOY: So, so -- you know, I think, more
24 importantly, and I just really want to err on the side of
25 somebody that might be doing something and they're not aware of

1 it. Like, there has to be an all out blitz on public -- on
2 making this public, because I don't want people to have some --
3 well, don't have knowledge, because clearly we met in two hours,
4 and then now they are subject to a probable cause stop; and this
5 may just create more and blossom to a much greater problem
6 because we haven't even disseminated this word or anything.

7 So, you know, I would -- while I understand we're at June
8 1st, it's going to be really tough to -- for me to agree that
9 we're going to enact something in exactly two hours and two
10 minutes that everybody needs to be off of the road; if not,
11 you're giving the police a presumption of probable cause to be
12 detained. That's a problem.

13 CHIEF OSGOOD: Traffic stops is not (inaudible).

14 COUNCILPERSON LANIER: I want to -- Chair.

15 CHAIR BOTEL: Mr. Evans just wants to (inaudible).

16 CITY MANAGER EVANS: Madam Chair, our intent is to address
17 what we are seeing, and based on the intelligence and the
18 information that was provided to us. Our intent is not to
19 obstruct and to impede people travelling from point A to point
20 B. It's to address the issues that we're seeing throughout the
21 country as a result of the activity that occurred in Minnesota.

22 So we're going to exercise discretion. We have competent,
23 capable law enforcement professionals.

24 And we're going to get the information out to the community
25 as quickly as we possibly can. As other communities around us

1 are doing the exact same.

2 The only reason that we're here before you this evening is
3 because based on the intelligence and the information we have
4 provided. And again, I want to caution us about saying what we
5 will and won't do, because we will compromise the integrity of
6 the process if we're communicating exactly how we're going to
7 handle this situation.

8 I have confidence in Chief Osgood and his team about how
9 they'll handle this and make sure that everyone that does assist
10 in the event that that has to occur, will make sure that this
11 agency is represented well and that we make sure that we
12 facilitate and -- peaceful activities in our community.

13 So again, we are going to put out as much information as we
14 possibly can immediately concluding this meeting.

15 CHAIR BOTEL: Thank you, Mr. Evans.

16 Ms. Lanier.

17 COUNCILPERSON LANIER: Yeah, I just want to piggyback off
18 of Councilwoman Anderson and Councilman McCoy. The issue
19 here -- (inaudible) issue but, you know, the fear of police
20 having carte blanche to be able to harass people, to be able to
21 stop people for no reason, to be able to, you know, do whatever
22 they want without accountability, that is our fear here. So I
23 just want to be clear that we have -- and I know that in Chief
24 Osgood we have someone who is at the helm to be able to make
25 sure that this does not happen.

1 But in terms of this curfew, we understand that when people
2 enact curfews, it's something serious going on here. So I want
3 to be clear about the fact that this city, being a predominantly
4 African American city, that we are setting the standard in terms
5 of how we deal with people, that it's 12:00 at night, you know,
6 they're coming from work, they may be tired; you never know what
7 may pop off, you never know what may happen. But we want to be
8 clear about the fact that we do have some trepidation about
9 this.

10 You know, this is a curfew. And that means that at 9:30 if
11 I wanted to go to Wal-Mart, I cannot, because I'm not going to
12 work. So I can take that. I mean I've taken self isolation for
13 the last two months. I can do that.

14 But I just want to be clear about the people -- and I agree
15 with Mr. McCoy on the fact that the public needs to know this,
16 that they need to know that at 9:00 that, you know, people are
17 going to either pull -- they may pull you over, you know, they
18 may ask you questions, whatever the case may be.

19 But being a black woman, when the police comes behind me I
20 am nervous, and I have not done anything. So I just want to be
21 able to have the atmosphere where even though there's law
22 enforcement present, that we have the acknowledgement that
23 people are fearful, they are on edge, they are angry, and that
24 we have to be careful of how we deal with people during this
25 situation.

1 So, but I do -- and I want to say, and I said from the
2 beginning, I do have the utmost confidence in our Chief of
3 Police to be able to do that.

4 CHAIR BOTEL: Thank you.

5 Anything else?

6 COUNCILPERSON McCOY: Madam Chair.

7 CHAIR BOTEL: Yes.

8 COUNCILPERSON McCOY: I want to offer an amendment, we at
9 least allow this to go into effect June 2nd at 9:00, as opposed
10 to two hours from now.

11 CHAIR BOTEL: I would like Mr. Evans to respond to that. I
12 think there might be some --

13 COUNCILPERSON LANIER: He made a motion, and I want to
14 second that motion.

15 CHAIR BOTEL: Do we have any other discussion about that,
16 waiting until tomorrow?

17 COUNCILPERSON LANIER: Well, that means that there's an
18 opportunity for City administration, for the Police Chief, for
19 everybody involved in the City to let the residents of this
20 city, the law abiding citizens, the people who live here, who go
21 to the store, who go to Wal-Mart, who go to Walgreens, the
22 opportunity to know what's happening, starting tomorrow night at
23 9:00.

24 CHAIR BOTEL: My only concern --

25 COUNCILPERSON MILLER-ANDERSON: Madam Chair.

1 CHAIR BOTEL: Well, let -- let's hear from Miller-Anderson
2 and then the Mayor might need to weigh in.

3 Ms. Miller-Anderson.

4 COUNCILPERSON MILLER-ANDERSON: You know, I think there are
5 some intelligent -- intelligence information that they are
6 probably aware of that we're not aware of.

7 And I too am concerned about not, you know, not being able
8 to provide a whole lot of notification. But I would assume as
9 professionals they are just saying that we only have the two
10 hours to make that decision and that would play into the
11 decision making.

12 And I think from Mr. Evans and Chief Osgood speaking
13 tonight, I do believe they understand our concerns with that.
14 But some things, when there are emergency situations we don't
15 have time to sit here and plan for it sometimes. I mean, I
16 didn't plan for a meeting tonight. But, you know, that's what
17 we had to do in order to get this in place.

18 And we have to understand too that we're -- I know we're
19 concerned about Riviera, but it's not just about Riviera too.
20 It's kind of all of these cities that kind of lock in together,
21 one thing can roll over -- if there is a curfew in place in the
22 city to the south of us and one to the north of us, that would
23 allow that break for them to come where there is an opening,
24 which is here.

25 That's my only concern, is that based on intelligence that

1 they may have received, the need obviously is great to go ahead
2 and get ahead of this.

3 I don't want to make -- I don't want us to be some of the
4 cities that have come in on the back end. Because it's hard
5 trying to contain something on the back end.

6 It provides us with an opportunity to have an upper hand in
7 terms of being ahead of it right now. And I think that if we do
8 not do this tonight then we're going to have to play catch up
9 tomorrow.

10 Hopefully we put it in play and we don't have any issues
11 with it at all, and tomorrow could be the time. But I would
12 hope that tonight be used as a time to educate people.

13 Obviously unless they're doing something extremely gross
14 or -- you know, but just to a point where they -- I don't -- I'm
15 so tired I can't even put words together right now. But you
16 understand my point. Hopefully some (inaudible) realizing this
17 and, you know, I think it needs to happen tonight.

18 CHAIR BOTEL: Thank you. I agree.

19 Mayor Felder, and then Mr. McCoy.

20 MAYOR FELDER: Yeah, I think Councilwoman Anderson hit it
21 right on the head.

22 Let's remember this. I think we're out of the realm of a
23 peaceful protest, because what happens is it attracts those
24 that's coming to destroy your cities. If you look at this
25 thing, it's happening from Dade County, Fort Lauderdale,