

**CITY OF RIVIERA BEACH**  
**REGULAR CITY COUNCIL MEETING**  
**June 2, 2021**  
**6:00 p.m.**

PRESENT AT MEETING<sup>1</sup>:

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

TRANSCRIBED BY:

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<sup>1</sup> List of City Employees, Public Speakers and Others on Page 131

1                                   **CITY OF RIVIERA BEACH**  
2                                   **PALM BEACH COUNTY, FLORIDA**  
3                                   **MINUTES OF THE CITY COUNCIL MEETING**  
4                                   **HELD JUNE 2, 2021, 6:00 p.m.**  
5

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

7   **CALL TO ORDER**

8   **Chairperson Lanier:**       Good afternoon. We would like to call the Regular City  
9   Council meeting to order, June 2, 2021.

10   **ROLL CALL**

11   **Chairperson Lanier:**       Madam Clerk.

12   **City Clerk Anthony:**       Mayor Ronnie Felder?

13   **Mayor Felder:**       Here.

14   **City Clerk Anthony:**       Chairperson Shirley Lanier?

15   **Chairperson Lanier:**       Here.

16   **City Clerk Anthony:**       Chair Pro Tem KaShamba Miller-Anderson?

17   **Chair Pro Tem Miller-Anderson:**       Present.

18   **City Clerk Anthony:**       Councilperson Tradrick McCoy?

19   **Councilperson McCoy:**       Here.

20   **City Clerk Anthony:**       Councilperson Douglas Lawson?

21   **Councilperson Lawson:**       Here.

22   **City Clerk Anthony:**       Councilperson Julia Botel?

23   **Councilperson Botel:**       Here.

24   **City Clerk Anthony:**       City Manager Jonathan Evans?

25   **City Manager Evans:**       Present.

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

28   **City Attorney Wynn:**       Here.

29   **City Clerk Anthony:**       Thank you, Madam Chair.

30   **Chairperson Lanier:**       Thank you.

31 **INVOCATION**

32 **PLEDGE OF ALLEGIANCE**

33 **Chairperson Lanier:** We will the roll call and a brief moment of silence by  
34 Councilwoman Julia Botel.

35 **Councilperson Botel:** This is off.

36 [Moment of silence]

37 **Councilperson Botel:** I pledge allegiance...

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

40 **AGENDA APPROVAL**

41 **ADDITIONS, DELETIONS, SUBSTITUTIONS**

42 **Chairperson Lanier:** Our next Item on the Agenda is the Agenda approval. Are  
43 there any additions, deletions, or substitutions for this Agenda this evening? Staff?  
44 Board?

45 **City Manager Evans:** Yes, Madam Chair. I would ask that the City Clerk read the  
46 additions, proffered by Staff into the record.

47 **City Clerk Anthony:** Madam Chair, Members of the Board, we have an addition of  
48 Item 8A.

49 [Inaudible comment]

50 **City Manager Evans:** Item 8A is a legislative update from Senator Bobby Powell.  
51 And that would actually be 9A, I bel'., or, yes, 8A.

52 **City Clerk Anthony:** Okay. And then the Proclamation is gonna be 9A?

53 **City Manager Evans:** Let's actually do them both legislative updates together. So,  
54 we have Representative Hardy, as well as Senator Powell. They can...

55 **Chairperson Lanier:** We'll have 9A., I mean, 9 for Omari Hardy and 9A for Senator  
56 Powell.

57 **City Clerk Anthony:** State that again, Madam Chair.

58 **Chairperson Lanier:** 9, legislative update of Omari Hardy. 9A, legislative update of  
59 Senator Bobby Powell.

60 **City Clerk Anthony:** Senator Bobby Powell. Okay.

61 **Chair Pro Tem Miller-Anderson:** Madam Chair?

62 **Chairperson Lanier:** Yes.

63 **Chair Pro Tem Miller-Anderson:** [Inaudible] for Senator Bobby Powell is 9A.  
 64 Proclamation by Councilwoman Botel is 9B [inaudible].

65 **Chairperson Lanier:** Okay. Do we have an add sheet here?

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

67 **Chairperson Lanier:** Alright. Very good. It is in writing. So, 8A is for Senator Bobby  
 68 Powell. 9A is...

69 **City Clerk Anthony:** Okay, Madam Chair.

70 **Chairperson Lanier:** Yeah.

71 **City Clerk Anthony:** Item 8A is gonna be the legislative update from Senator  
 72 Bobby Powell.

73 **Chairperson Lanier:** Okay.

74 **City Clerk Anthony:** Item No. 9 is the legislative update from Omari Hardy. Item  
 75 No. 9A is gonna be the Proclamation declaring June 8, 2021 as World Oceans Day from  
 76 the Office of the Mayor, presented by Councilperson Julia Botel.

77 And then we have 9B, is the presentation of the water quality by Mayor Felder. In  
 78 addition, Staff is requesting that Item No. 15, Resolution No. 4721 be moved to after Item  
 79 No. 10, Ordinance No. 4166.

80 **Chairperson Lanier:** Say that again.

81 **City Clerk Anthony:** Item No. 15, which...

82 **Chairperson Lanier:** Uhuh.

83 **City Clerk Anthony:** ...is Resolution No. 4721, Staff is requesting that that Item be  
 84 moved to after No. 10, Ordinance Number 4166.

85 Madam Chair and Members of the Board, be advised also that you all were  
 86 provided with communication from Ms. Anna Vern regarding some comments that she  
 87 want read into the record. I have provided that to you all. It will be made a part of the  
 88 Minutes once the Minutes are transcribed.

89 And the Office of the City Clerk also has an announcement under petitions and  
 90 communications.

91 **Chairperson Lanier:** Okay.

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

93 **Chairperson Lanier:** Yes.

94 **City Manager Evans:** Also, City Staff would like for your second meeting in June,  
95 June..., it's slated to be June 19<sup>th</sup>. If we can move... oops. I'm looking at... Sorry. June...,  
96 your second meeting is slated to be June 16<sup>th</sup>, I'm sorry, and we're asking if that meeting  
97 can be moved to June 23<sup>rd</sup>. The intent behind that is we have some Items that are going  
98 to before Planning & Zoning, and we want to bring those Items to the Board to allow for  
99 us to have the Board provide some perspective on the Site Plan for the temporary Fire  
100 Station for Station 87, so that allows for us to move a little bit quicker with regards to the  
101 relocation of, of, of fire personnel from the main station.

102 So, that's the intent behind the move, that Staff is recommending. So we'd like  
103 some official action from the Board concerning that.

104 **Councilperson Botel:** Madam Chair?

105 **Councilperson Lawson:** Madam Chair?

106 **Chairperson Lanier:** Yes. Yes. Go ahead, Dr. Botel.

107 **Councilperson Botel:** Do we not have a budget workshop scheduled on the 23<sup>rd</sup>? Is  
108 that gonna eliminate the budget workshop?

109 **City Manager Evans:** I believe that we'll, we'll be able to han'..., handle that  
110 particular Item, or those particular Items. We'll, we'll make sure we're keeping the Agenda  
111 light.

112 **Councilperson Botel:** Okay.

113 **City Manager Evans:** As it relates to Staff Items, but we will be discussing our  
114 budget on that day.

115 **Councilperson Botel:** So, there's..., there'll be no meeting on the 16<sup>th</sup> then?

116 **City Manager Evans:** That is correct.

117 **Councilperson Botel:** Okay. Thank you.

118 **Councilperson Lawson:** Madam Chair?

119 **Chairperson Lanier:** Yes. Go ahead, sir.

120 **Councilperson Lawson:** Thank you, Madam Chair.

121 I would actually have a conflict with that date, as I was intending only to be at the  
122 budget Item..., workshop for a brief period of time because I have a prior engagement for  
123 that night.

124 **Chairperson Lanier:** For the 23<sup>rd</sup>?

125 **Councilperson Lawson:** Yes, Madam Chair.

126 **Councilperson McCoy:** So, Mr...

127 **Chairperson Lanier:** That...

128 **Councilperson McCoy:** Madam Chair?

129 **Chairperson Lanier:** Yes. Go ahead, sir.

130 **Councilperson McCoy:** So, I, I did understand you to say that there was not gonna be  
131 a meeting on the 16<sup>th</sup> of June for the Council. What about for Utility Special District?  
132 Should we expect that there's gonna be a meeting for USD on that day?

133 **City Manager Evans:** If there is no need to, to have a meeting, we won't have the  
134 meeting. But, if there are some pressing items, I'd have to get with the Executive Director  
135 to determine if there's any Items that have to come before the Board. But the intent would  
136 be to dispatch of those Items on the 23<sup>rd</sup>.

137 **Chairperson Lanier:** Very good. Are there any objections? I know that we have  
138 noted that the..., Councilperson Lawson cannot attend the workshop for the 23<sup>rd</sup>. Are  
139 there any objections to the 23<sup>rd</sup> for the budget workshop and for the Regular City Council  
140 meeting?

141 **Councilperson Botel:** No. Do you need a motion?

142 **Chairperson Lanier:** Yeah. Give me a motion for that.

143 **Councilperson Botel:** I make a motion that we eliminate the Council meeting on 16<sup>th</sup>  
144 and hold the meeting on the 23<sup>rd</sup> instead.

145 **Chairperson Lanier:** Second.

146 **Chair Pro Tem Miller-Anderson:** I'll second.

147 **Chairperson Lanier:** Very good. Madam Clerk.

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

149 **Councilperson McCoy:** Yes.

150 **City Clerk Anthony:** Councilperson Botel?

151 **Councilperson Botel:** Yes.

152 **City Clerk Anthony:** Councilperson Lawson?

153 **Councilperson Lawson:** No.

154 **City Clerk Anthony:** Pro Tem Miller-Anderson?

155 **Chair Pro Tem Miller-Anderson:** Yes.

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

157 **Chairperson Lanier:** Yes.

158 **City Clerk Anthony:** That motion is approved with Councilperson Lawson  
159 dissenting.

160 **Chairperson Lanier:** Thank you.

161 Are there any other Items to be added or deleted from this..., or substituted, on this  
162 Agenda?

163 **Councilperson McCoy:** So, Madam Chair? So...

164 **Chairperson Lanier:** Yes.

165 **Councilperson McCoy:** ...let me, let me..., can I just provide some context? So, my  
166 vote and affirmation of that is provided we don't have a mysterious meeting to show up  
167 on the 16<sup>th</sup> because I just won't...

168 **Chairperson Lanier:** You are correct, sir.

169 **Councilperson McCoy:** Okay. I just wanna make sure that...

170 **Chairperson Lanier:** You are correct.

171 **Councilperson McCoy:** Because, we get, you know, we get these notices for  
172 emergency meetings all the time. And then, get twenty-four hour notice on what the  
173 Agenda Item is gonna be. So..

174 **Chairperson Lanier:** You are...

175 **Councilperson McCoy:** ...[inaudible], Madam Chair.

176 **Chairperson Lanier:** ...correct. No meeting for the 16<sup>th</sup>.

177 Any other substitutions or deletions or additions for this Agenda? [Pause]. Very  
178 good.

179 **ADOPTION OF AGENDA**

180 **Chairperson Lanier:** Can I get a motion to approve the Agenda as amended?

181 **Councilperson Botel:** Motion to approve the Agenda as amended.

182 **Councilperson McCoy:** Second.

183 **Chairperson Lanier:** Madam Clerk.

184 **City Clerk Anthony:** Councilperson Botel?

185 **Councilperson Botel:** Yes.

186 **City Clerk Anthony:** Councilperson Lawson?

187 **Councilperson Lawson:** Yes.

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

189 **Councilperson McCoy:** Yes.

190 **City Clerk Anthony:** Pro Tem Miller-Anderson?

191 **Chair Pro Tem Miller-Anderson:** Yes.

192 **City Clerk Anthony:** Chair Lanier?

193 **Chairperson Lanier:** Yes. Very good.

194 **DISCLOSURES**

195 **Chairperson Lanier:** Are there any disclosures for this Agenda that's before us this  
196 evening? Board? Staff? [Pause]. Hearing none.

197 **CONSENT AGENDA**

198 **Chairperson Lanier:** The next Item is the Consent Agenda.

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

205 **MINUTES**

206 **1. MAY 5, 2021 REGULAR CITY COUNCIL MEETING MINUTES**

207 **RESOLUTIONS**

208 **2. RESOLUTION 59-21 A RESOLUTION OF THE CITY COUNCIL OF RIVIERA**  
209 **BEACH, PALM BEACH COUNTY, FLORIDA TO JOIN WITH THE STATE OF FLORIDA**  
210 **AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA**  
211 **MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS "FLORIDA**  
212 **PLAN" IMPLEMENTING A UNIFIED PLAN; AUTHORIZING THE CITY ATTORNEY'S**  
213 **OFFICE TO ENTER INTO THE FLORIDA MEMORANDUM OF UNDERSTANDING;**  
214 **AND PROVIDING FOR AN EFFECTIVE DATE.**

215 **DAWN S. WYNN, CITY ATTORNEY, 561-845-4069**

216 **3. RESOLUTION 62-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY**  
217 **OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE**  
218 **EXECUTION OF THE SECOND AMENDMENT TO LEASE AGREEMENT WITH THE**  
219 **NEW OWNERS OF THE POLICE EVIDENCE WAREHOUSE; AUTHORIZING THE**  
220 **MAYOR AND CITY CLERK TO EXECUTE THE AMENDED LEASE AGREEMENT;**  
221 **AUTHORIZING THE DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES TO**  
222 **MAKE PAYMENTS FOR SAME; AND PROVIDING AN EFFECTIVE DATE.**



NATHAN OSGOOD, CHIEF OF POLICE, 561-845-4130

4. RESOLUTION 58-21 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF RIVIERA BEACH FOR THE REDEVELOPMENT OF BROOKS SUBDIVISION WITH AFFORDABLE HOUSING, WHICH INCLUDES THE ASSIGNMENT OF THE CITY'S MORTGAGE ENCUMBERING BROOK'S SUBDIVISION, ISSUANCE OF A QUIT CLAIM DEED AND RELEASE OF MUNICIPAL LIENS TO THE COUNTY; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SAME; AND PROVIDING AN EFFECTIVE DATE.

DAWN S. WYNN, CITY ATTORNEY, 561-845-4069

**COMMUNITY BENEFITS**

5. THE REGGIE DEE FOUNDATION - \$1,500 - MAYOR RONNIE FELDER - THE COMMUNITY BENEFITS FUNDS WILL BE USED TO HELP DEFRAY COST FROM THE INAUGURAL NATIONAL POETRY MONTH FESTIVAL.

6. RIVIERA BEACH CARES HOMELESS COALITION FOR FAMILIES, INC - \$1,000 - MAYOR RONNIE FELDER - COMMUNITY BENEFITS FUNDS WILL BE USED TO SUPPORT RIVIERA BEACH CARES COALITION FOR FAMILIES, INC TO HELP PROVIDE EMERGENCY SHELTER TO RIVIERA BEACH RESIDENTS WHO HAVE BECOME HOMELESS.

7. PALM BEACH COUNTY CHAPTER BETHUNE COOKMAN UNIVERSITY - \$1,000 - MAYOR RONNIE FELDER - THE COMMUNITY BENEFITS WILL BE USED TO HELP DEFRAY THE COST OF THE SCHOLARSHIP WORKSHOP.

**Chairperson Lanier:** Can I get a motion to approve the Consent Agenda?

**Councilperson Botel:** Move to approve the Consent Agenda.

**Chair Pro Tem Miller-Anderson:** Second.

**Councilperson McCoy:** Second.

**Chairperson Lanier:** Madam Clerk.

**City Clerk Anthony:** Councilperson Lawson?

**Councilperson Lawson:** Yes.

**City Clerk Anthony:** Councilperson McCoy?

**Councilperson McCoy:** Yes.

**City Clerk Anthony:** Councilperson Botel?

**Councilperson Botel:** Yes.

257 **City Clerk Anthony:** Pro Tem Miller-Anderson?

258 **Chair Pro Tem Miller-Anderson:** Yes.

259 **City Clerk Anthony:** Chair Lanier?

260 **Chairperson Lanier:** Yes.

261 **City Clerk Anthony:** Thank you, Madam Chair.

262 **Chairperson Lanier:** Thank you.

263 **END OF CONSENT AGENDA**

264 **Chairperson Lanier:** That is the end of the Consent Agenda. Next Item, Madam  
265 Clerk.

266 **UNFINISHED BUSINESS**

267 **PETITIONS AND COMMUNICATIONS FOR FILING**

268 **City Clerk Anthony:** Madam Chair, Members of the Board, we are down to  
269 petitions and communications. And, I just wanna announce that the Office of the City  
270 Clerk wants to con'.., congratulate Ms. Tawanna Smith on receiving her Certified  
271 Municipal Clerk designation.

272 And we also want to congratulate Ms. Brooke Eadicicco, our Staff assistant, who  
273 received her Certificate of Completion for the ADA Coordinator Program.

274 **Chairperson Lanier:** Congratulations, Ms. Tawanna Smith. A round of applause  
275 for Ms. Smith.

276 [Applause]

277 **Chairperson Lanier:** And Brooke. Thank you.

278 [Applause]

279 **Chairperson Lanier:** Do you wanna say a few words, Brooke?

280 [Inaudible comment]

281 **Chairperson Lanier:** A few words? No? Okay.

282 [Chuckle]

283 **Chairperson Lanier:** Alright. Very good. Go ahead.

284 **AWARDS AND PRESENTATIONS**

285 **8. City Clerk Anthony:** Madam Chair, Members of the Board, we're down to..  
286 now down to Item No. 8.

287 **City Clerk Anthony: 2021 PROCLAMATION DECLARING THE FIRST FRIDAY**  
288 **IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY.**

289 **RONNIE L. FELDER, MAYOR, 561-845-4145**

290 **City Clerk Anthony:** Mad'.., Madam Chair, Members of the Board, we do not have  
291 any public comments on this Item. The acceptance of public comment on this Item is  
292 now closed.

293 **Mayor Felder:** Thank you, Madam Chair.

294 WHEREAS, every day more than a hundred Americans are killed by gun violence,  
295 alongside more than two hundred and thirty who are shot and wounded. And on an  
296 average, there is more than 13,000 gun homicides every year; and

297 WHEREAS, Americans are twenty-five times more likely to die by gun homicide  
298 than people in other high income communities; and

299 WHEREAS, ;in Florida, there's 2,752 gun deaths every year, with a rate of 12.5  
300 deaths per one hundred people. Florida has the highest rate of gun deaths in the U.S.;;  
301 and

302 WHEREAS, gun violence and homicides and assaults are concentrated in cities  
303 with more than half of all firearm related gun deaths in the nation occurring in a hundred  
304 and twenty-seven cities; and

305 WHEREAS, cities across the nation, including the City of Riviera Beach, are  
306 working to end senseless gun violence with evidenced based solutions; and

307 WHEREAS, protecting public safety in the communities they serve, is their highest  
308 responsibility; and

309 WHEREAS, support of the 2<sup>nd</sup> Amendment Rights of law abiding citizens go hand  
310 in hand with keeping guns away from people with dangerous histories; and

311 WHEREAS, Mayors and law enforcement officers know their communities best,  
312 are the most familiar with local criminal activity and how to address it and our best position  
313 to understand how to keep their citizens safe; and

314 WHEREAS, gun violence prevention is more important than ever as COVID-19  
315 pandemic continues to exacerbate gun violence over more than a year of increased gun  
316 sales, increased cause to suicide and domestic violence hotlines, and an increase in City  
317 gun violence; and

318 WHEREAS, in January 2013, Hadiya Pendleton was tragically shot and killed at  
319 age fifteen, and on June 4, 2021, in recognition of her twenty-fourth birthday, Hadiya,  
320 born June 2, 1997, people across the United States will recognize National Gun Violence  
321 Awareness Day and wear orange in tribute of Ms. Pendleton, victims of gun violence and  
322 their loved ones; and

323 WHEREAS, the idea was aspired by a group of Hadiya's friends who asked their  
324 classmates to commemorate her life by wearing orange. They choose this color because  
325 hunters wear orange to announce themselves to other hunters out in the woods, and  
326 orange is the color that symbolizes the value of human life; and

327 WHEREAS, anyone can join the campaign by pledging to wear orange on June  
328 4<sup>th</sup>, the Friday in June 2021 to help raise awareness about gun violence; and

329 WHEREAS, by wearing orange on June 4, 2021, America will raise awareness  
330 about gun violence and honor the lives of gun violence victims and survivors; and

331 WHEREAS, we renew our commitment to reduce gun violence and pledge to do  
332 all we can to keep firearms out of the wrong hands and encourage responsible gun  
333 ownership to help keep our children safe.

334 NOW THEREFORE, I, Mayor Ronnie Felder, by the power vested in me by the  
335 residents of the City of Riviera Beach, Palm Beach County, Florida do hereby declare  
336 June 4, 2021 as National Gun Violence Awareness Day.

337 In the City of Riviera Beach, I encourage our residents to support the local  
338 community efforts and prevent the tragic effects of gun violence to honor and value human  
339 life.

340 IN WITNESS WHEREOF, I hereunto set my hand and cause the official seal of the  
341 City of Riviera Beach to be affixed on the 2<sup>nd</sup> day of June 2021 A.D.

342 **Chairperson Lanier:** Thank you, sir.

343 **8A. City Clerk Anthony:** Madam Chair, Members of the Board, we're now down  
344 to Item 8A.

345 **City Clerk Anthony:** **LEGISLATIVE UPDATE BY SENATOR BOBBY POWELL**

346 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have any  
347 public comment cards on this Item. The acceptance of public comment cards on this Item  
348 is now closed.

349 **Chairperson Lanier:** Thank you. Senator Powell.

350 **Senator Powell:** Good evening.

351 **Chairperson Lanier:** Good evening.

352 **Senator Powell:** Thank you, Madam Chair and Members of the Council. I [inaudible]  
353 Bobby Powell. Of course, I represent the northern parts of Palm Beach County. Of  
354 course, I am a native, or originated, here in the City of Riviera Beach where I was born  
355 and raised. We have a quick presentation. I know my, my colleague in the State House,  
356 Representative Hardy is here as well. If we can get that presentation up. I think I saw it  
357 earlier. [Pause]. There it is. We wanna start from [audio skipped]. [Pause]. There we  
358 go.

359           It's a view from Tallahassee. And see, this is a quick legislative update. As you  
360 know, we just came back from a special session. As you can see here, I'm wearing a  
361 mask which is [inaudible] people were not able to come in through the Capitol, although  
362 [inaudible]. This is pretty much how we spent our session, wearing masks and [inaudible].

363 **Councilperson McCoy:** So, Madam Chair, we, we got some volume issues. His, his  
364 microphone is cutting in and out.

365 **Councilperson Botel:** I think they fixed it.

366 **Senator Powell:** Testing, testing.

367 [Inaudible comments]

368 **Senator Powell:** We're good?

369 **Chairperson Lanier:** Yeah. Go ahead.

370 **Senator Powell:** Awesome. Thank you.

371           I did wanna say hey to the Members of the Council. Of course, recognizing the  
372 Honorable Councilman McCoy, Councilwoman KaShamba Miller-Anderson, Councilman  
373 Lawson, Councilwoman Botel, and our Chairwoman. Also a graduate of FAMU,  
374 Councilwoman Shirley Lanier. Thank you all for having us here this evening to discuss  
375 what happened with session.

376           Of course, I represent the northern parts of Palm Beach County. This is to highlight  
377 all of the cities that I represent. Pulled out of that is Riviera Beach, just to let you know  
378 we go from City of West Palm, all the way over to Royal Palm Beach to the Martin County  
379 line, representing more than a half a million people here in the State of Florida.  
380 [Inaudible].

381 **Chairperson Lanier:** Walter is also from Florida A&M University.

382 **Senator Powell:** That's right.

383 **Chairperson Lanier:** [Chuckle].

384 **Senator Powell:** Walter is Rattler as well. Rattlers in the house. Mr. Sirmons as well.

385 **Chairperson Lanier:** Yes. Mr. Sirmons as well.

386 **Senator Powell:** So, thank you. We're, we're in the house.

387           Of course, just a little quick brief overview of the legislative process.  
388 Representative Hardy is here. He represents...

389 **Councilperson McCoy:** Senator, I think Ms. Jacobs also is a FAMU graduate.

390 **Chairperson Lanier:** That's right. [Chuckle].

391 **Senator Powell:** That's right.

392 **Councilperson McCoy:** And Florida State too.

393 **Senator Powell:** [Inaudible]. Rattlers are in the house. And, just so you know...

394 **Chairperson Lanier:** [Chuckles].

395 **Senator Powell:** ...Assistant City Manager and attorney, [inaudible] McBride was  
396 former general counsel for FAMU while I was there too. So, the Rattlers are here today.  
397 Anyway.

398 **Councilperson McCoy:** I attended the set on Fridays.

399 [Chuckles]

400 **Senator Powell:** Thanks, Councilman.

401 Alright. We'll, we'll stay on target here. [Inaudible] Democrat and seventy  
402 Republicans. [inaudible]. I currently serve as the 2021-2022 Chairman of the Florida  
403 Legislative Black Caucus, as well as the Senate Democratic Leader Pro Tem. That  
404 means, if anything happens to the leader, I'm the leader. And actually, I was the leader  
405 in charge for about fifteen minutes this year. We'll talk about that later.

406 These are the committees I sit on, Appropriations, Top Committee. That's where  
407 all our funding goes through. When it comes to appropriations, I've dealt with  
408 appropriations for the nine years that I've been there. I can tell you where the cracks and  
409 crevices are, the ins and outs. Councilman McCoy, you know, you've been through that  
410 process with me. Rules, Commerce & Tourism. Rules is what every bill, that moves the  
411 Senate had to go. Community Affairs, Criminal Justice. And I'm the alternating Chair on  
412 the Joint Committee on Public Counsel Oversight.

413 These are some of the major session issues. Just some of them. We had a lot of  
414 issues this year, combatting [stammer] public disorder, which is actually known as the  
415 Anti-Protest Bill. The [audio skipped] Administration, they also called Integrity in  
416 Elections, Senate Bill 90 which dealt with the way we vote here, and getting rid of..., we'll  
417 talk about it a little bit more but, restriction of voting here in the State of Florida.

418 House Bill 7051, Police Reform, which was a priority for the Florida Legislative  
419 Black Caucus; Senate Bill 54, Motor Vehicle Insurance. We got rid of PIP. And then, a  
420 lot of things dealt with local government preemptions, including Senate Bill 60, Code  
421 Enforcement; 893 dealt with fuel retail [audio skipped] fuel retailers in the State of Florida  
422 can't mandate that you have a electric charge station; preemption of occupational  
423 licenses. That goes to the state now.

424 Impact fees. You will know that you cannot have..., you cannot set the [inaudible]  
425 more than once every four years based on criteria from variables in terms of [inaudible]  
426 increase. So you might wanna be aware of that. The League of Cities [inaudible] as a  
427 big, big issue. If you're increasing by fifty-five percent, you can do it annually, but twice.  
428 If you're doing it by more, more than fifty percent, you can do it four times, but it has to be  
429 in a specific point periods of time, and you cannot increase your impact fees more than

once every four years. And you have to meet the criteria that's set out in statute. This is another preemption that we saw, we dealt with this over and over again during session.

Also, one of the bigger issues was reemployment assistance. As you know, during the middle of the pandemic, which many of us went through, it was very difficult for people who were unemployed to receive benefits. Backed up, backed up. And there's some people who still, at this point, haven't received the first check.

The anti-protect legislation. I wanted to talk about this because, if you have not paid attention to it, this is going to affect everybody in our community. If they go out and protest, this was something that was brought up based on the idea that..., this was brought up because they said it dealt with January 6<sup>th</sup> here in the State of..., here in Washington, DC, but it actually started with the Governor during the midst of the protest related to George Floyd.

It creates a new crime called mob intimidation, prohibits a mob from forcefully compelling or attempting to compel another person. A mob is then identified as three or more people. It requires a person who was arrested for a specified offense relating to a riot to be held until first appearance, maybe even twenty-four hours, or until a bond is set.

It creates additional civil penalties for someone who is obstructing roadways, and for you all who are municipalities, if you waive your ..., it will waive your sovereign immunity if there's an opportunity where you..., they say you breached statutory duty. And remember, this is all subjective to allow law enforcement to respond to an unlawful assembly, meaning they can take funding from the cities and you would lose your rights, if the state, or the state's attorney, were to sue the City.

Voter restriction, Senate Bill 90. Of course, this was something that was a hot button issue when it came to the Senate floor. This bill severely restricts citizens' access to voting. Many of us in the City of Riviera Beach know that some of our seniors are not able to get out and they are voting by mail. Well now, they cannot vote by mail unless a person who is direct and immediate family is taking that ballot for them. Immediate family goes down to the grandchild, or the grandparent. It does not include cousins or aunts. So just know that. And that person cannot have more than two ballots.

I believe there's also a..., an..., there was, there still may be an instance in there where, if you're carrying the ballot, you have to have proof that it was signed for, that you're allowed to carry that. It reduces the number of selection cycles for which you can request a ballot to one. Meaning that every two years. And it ends at the end of the fiscal year. I'm sorry, the, the calendar year. Limits the use of drop boxes. We had drop boxes here in the City of Riviera Beach but also, if you have a drop box like at the Supervisor of Elections office, you cannot use that drop box unless it is during early voting hours or during, during hours in which you are allowed to vote. And it has to be manned in person. It also prohibits anyone from personally possessing a vote by mail ballot, regardless of the reason, unless, like I said earlier, they're authorized by law.

It also pushes an additional..., you know you have a, a setback where you can only be up to a hundred feet, in terms of being able to campaign on election day, it pushes

471 that to a hundred and fifty feet. And if there's a vote by mail box, it still has to be a hundred  
472 and fifty feet from that.

473 There was nothing in this bill, we talk about integrity, nothing in the bill mentioned  
474 the sham candidates that were put in three races throughout the state, that were put in  
475 three Senate races that ultimately caused some of the Democrats to lose their race,  
476 because of these sham candidates. Someone is currently dealing with that as a legal  
477 issue and facing jail time in Miami because of it.

478 Police reform. This is something that myself and Representative Hardy, as well as  
479 all the members of the Florida Legislative Black Caucus worked on. This happened. We  
480 working on it until the wee hours of the end of session. We put some measures in place.  
481 It was bipartisan. It passed with every member voting for it, however, please keep in  
482 mind that some of the, some of the teeth of this legislation are, are not as strong as they  
483 are for HB 1.

484 It implements minimum standards for law enforcement officers and corrections  
485 officers, make sure they are limited with choke holds, there's a duty to intervene if they  
486 see someone choking someone or someone doing something that's not right. And, also,  
487 it, it's supposed to prevent some of those bad apples from being able to go from agency  
488 to agency by disclosing all of this information on their employment application, which  
489 should be available to the public. It also allows for independent investigations of data  
490 collected on a use..., use of force incidents. So, it shouldn't be investigated by that own...,  
491 their own Internal Affairs agency.

492 A bill that I was carrying, minimum age of arrest for a child. We wanted it to be at  
493 ten years old. They settled on seven years old. That is within this police reform bill, as  
494 well as another bill that we carried which was mental illness training for law enforcement  
495 officers, which allowed for a law enforcement officer to get mental illness training as a  
496 part of their, their qualifying continuing learning hours for officers.

497 Legislation that we push. Of course, unemployment compensation. A bill did pass.  
498 It wasn't a bill that I was carrying, along with Senate Representative Eskamani in the  
499 House. It was a bill that was carried by Senator Brodeur. It had a lot of the information,  
500 and a lot of the characteristics that we had in our bill, in his bill. It allowed for additional  
501 funding for unemployment compensation, extended the weeks. That additional funding  
502 was up to three hundred and fifty dollars, but it went over to the House and they would  
503 not see that through.

504 Electronic legal documents. Some clean up language related to notary. Minimum  
505 age of arrest. As you know, that was put in our, our other bill, Senate Bill 7051. And the  
506 waiver of fees for affordable housing construction. You would hear that, in the legislature,  
507 we talked about impact fees. In the changes to impact fees, they've said this is because  
508 of affordable housing. Well, the truth is, if we wanted to something about affordable  
509 housing, this particular bill right here, would've allowed the local government to waive  
510 fees related to affordable housing but that is not what happened.



511 Mental illness officer training. We talked about that and then back'..., background  
512 screening, which you all know as Ban the Box, which is an issue that we've been pushing  
513 for several years, which would allow people who have had an arrest be able to get at least  
514 to the interview process.

515 Some of the budget highlights. As you know, the City of Riviera Beach, we worked  
516 together to add a million dollars in the budget for the Public Safety Complex. That was a  
517 very difficult task. As you know, City Manager Evans, along with our Chief of Staff for the  
518 Senate, as well as Chief of Staff for the House, Mat Bahl, and I can't think of her name  
519 now, Kathy Mears.

520 And, I talked with several of you all, who are Council Members, as we worked on  
521 these projects. As well as, we did not get the money in there for the critical water main  
522 infrastructure, the \$600,000 there, and the million dollars that we wanted for the Riviera  
523 Beach water plant, but it's something that we'll continue to work on because I understand  
524 that the Governor has money for resiliency. So, that's something that we'll work on  
525 together.

526 Another thing we didn't really talk about, there's money in the budget. We got  
527 \$50,000 a piece, for both Goodmark Park, which is [inaudible] money, and Monroe  
528 Heights. \$50,000 apiece. So, we counted that as another \$100,000 that goes directly to  
529 the City of Riviera Beach.

530 Overall, we worked very diligently to get a lotta things in the budget. A lot of it was  
531 cut today. It was \$101.5BB budget, and ultimately, we ended up with a hundred mill'...,  
532 \$100MM budget.

533 With that, we move on to the special session which we just finished. The  
534 implementation of a Gaming Compact, gamin enforcement. Public records, we, we came  
535 up with an idea for a Gaming Commission. And finally, the Senate Bill 8, which was all  
536 of gaming, allowed new pari-mutual..., allows pari-mutual to move in different locations.  
537 Some of our members voted for it, some did not. But, this is something that ultimately  
538 passed. I think it was a decision that was kinda made up before we got [inaudible].

539 That being said, I wanna thank our Attorney Sean Pittman, who has continued to  
540 work with us yearly..., year in and year out. Without him, none of this really happened  
541 because he knows the ins and outs. And while we're here, Attorney Pittman is still in  
542 Tallahassee. We have constant communication. I talked to him this morning. And, he's  
543 been instrumental in terms of some of the legislation that we pushed, instrumental in  
544 terms of funding. And we keep him in the loop and keeps us in the loop as things continue  
545 to move.

546 Sean wanted to be here today but he couldn't. It was a little bit too fast. But, I  
547 suspect in the future, within the next couple of months, Sean Pittman will get down here  
548 and we'll get a chance to come and speak to you all together.

549 And, I want to introduce my staff, who is also here. Attorney Kersti Myles, Dr  
550 Kristofer Stubbs and Attorney Diane Andre. We work together in Tallahassee to make sure

551 that Riviera Beach has the best representation as the best waterfront City to live, work and  
552 play. And I'm proud to be here before you all today.

553 And, with that, if there's any questions or comments, we can have that now or we'll  
554 wait until Representative Hardy finishes.

555 **Chairperson Lanier:** Thank you. Are there any questions from the Board for  
556 Senator Powell? [Pause]. Thank you, sir, for your service to the City of Riviera Beach.

557 **Senator Powell:** Thank you very, very kindly.

558 **9. City Clerk Anthony:** Madam Chair, Members of the Board, we're now on to  
559 Item No. 9.

560 **City Clerk Anthony:** **LEGISLATIVE UPDATE FROM OMARI HARDY**

561 **State Representative Hardy:** First off, can everyone hear me?

562 **Chairperson Lanier:** Yes.

563 **State Representative Hardy:** Okay. Thank you.

564 First off, I wanna recognize and thank all of you, the Honorable Members of this  
565 Council for inviting both myself and Senator Powell to come provide this legislative update  
566 after, not only the regular legislative session, but this special session which we just  
567 finished and we can get into that as well.

568 I said this before going to Tallahassee and I believe that it's true after having come  
569 back from Tallahassee, I think Senator Powell might agree, this is one of, if not the most,  
570 important legislative sessions that we've had, not just in recent memory but potentially in  
571 the history of the State of Florida when you think about some of the challenges that we  
572 faced going into it.

573 We haven't had a pandemic like this since 1918. And the pandemic was not just  
574 a public health crisis, with over 35,000 Floridians having died before we got there, it was  
575 also an economic crisis and an education crisis. We had small businesses that struggled  
576 throughout it, we had folks who not only lost their job, but after losing their job, could not  
577 access the jobless benefits that they were due because of our broken unemployment  
578 system here in the State of Florida.

579 But then, in addition to that, we had what's called the COVID slide in education,  
580 whereby many, many kids who had to stay home, not [inaudible], but because we,  
581 especially early on, were not sure how this virus was transmitted, we weren't sure as to  
582 the risk of sending kids to school, so we had kids who were at home. They were doing  
583 their best to learn remotely.

584 Not only were the kids doing their best to learn remotely, but as a former classroom  
585 teacher, I can tell you, if you're used to teaching in a room with students live, in front of  
586 your face, it's very difficult to transition from that to teaching synchronously, meaning

587 teaching some students in the classroom and some students online at the same time is  
588 an extremely challenging thing to do. So our teachers rose to the task.

589 So, this [stammer]... Going into that, we had to take all that into effect and  
590 obviously, that was gonna have an impact on the budget.

591 So, it was a very challenging session. We had very important issues to address.  
592 Not only that, I, I like to say that everything was open in Florida except for the Capitol  
593 building. And that was true. You could go to a restaurant, you could find legislators in  
594 there partying, eating, drinking. but it was very difficult for members of the public, and  
595 members of the press to get into the Capitol building to let legislators, like myself and  
596 Senator Powell, know what they felt about what we were doing there. And I think that  
597 had an impact on the session as well.

598 So, it was a challenging session, but I try to find a silver lining in that. And I think  
599 Senator Powell can attest to this. During a normal legislative session, you have folks  
600 coming by your office every fifteen minutes. And it's very difficult when you have two  
601 hundred plus bills being voted on to do your work as a legislator, which is to read and  
602 understand the policies that you're being asked to vote on and to weigh in on. And the  
603 fact that the Capitol was closed, that we had an opportunity to actually do our job and to  
604 hone in on the details, which was one silver lining that I appreciated. So, in this session,  
605 there was some good, there was some bad. I'll start with the bad so that we can end on  
606 a high note, which is the good.

607 Senator Powell spoke about this House Bill 1, combating the public disorder. I just  
608 wanna be clear about one thing. This was previewed last summer, when the entire nation  
609 had taken to the streets to protest police violence against people of color. But it was filed  
610 officially on January 6<sup>th</sup>. Why was that? Because the leadership of the House and the  
611 Senate wanted us to believe that this bill didn't have anything to do with George Floyd,  
612 didn't have anything to do with other folks who had been killed, unfairly, Breonna Taylor,  
613 by police officers.

614 No, no. The leadership of the House and Senate wanted us to believe that this  
615 had to do with the January 6<sup>th</sup> insurrection and attack on the Capitol. I mighta been born  
616 at night. Some of us in this room mighta been born at night. But I don't think any of us in  
617 this room, unless there's a newborn here, was born last night.

618 And, unfortunately, those are the kinds of games that they play. So, House Bill 1  
619 is an attack on our First Amendment right. Because, basically, what it tries to do, is it tries  
620 to confuse protesting law, as to what's legal and what's not. If I go to a protest and I know  
621 that there's a law that says if a few knuckleheads get outta line and damage some  
622 property, that the law enforcement officer, the very folks you're protesting and asking to  
623 do better, who may be a little peeved that you're protesting their conduct, that those folks  
624 get to now call that protestor riot. And that you could be, not only, not only charged with  
625 a felony, and not only risk having your rights taken away when you're charged with a  
626 felony, but that when you're arrested, you have to stay in jail overnight until first  
627 appearance, and that you can't make bail until then.

628 The whole point of this bill is to chill the expression of free speech. And so while  
629 facially it's about quote unquote rioting or aggravating rioting, in reality, it's attacking our  
630 First Amendment rights. That passed, unfortunately, and it was one of the first big pieces  
631 of legislation that passed.

632 We had Senate Bill 90, which is the voter suppression legislation. If you're gonna  
633 say that we need legislation to uphold election integrity, you should be able to point out  
634 that there's something wrong with the integrity of our election. The Republicans couldn't  
635 do that. As a matter of fact, the Governor of himself, shortly after the November election,  
636 bragged about how smoothly it went for us. Said that we had put the ghost of Bush v.  
637 Gore behind us. But unfortunately, we have a former president who couldn't process the  
638 fact that he lost and so we brought this piece of legislation that's going to make it difficult  
639 for folks to vote.

640 Senator Powell touched on this. I wanna talk about drop boxes. Drop boxes are  
641 critical because it makes it easier for people to cast their ballot. I represent a lot of working  
642 class people. Everybody in this room represents a lot of working class people. It's difficult  
643 if you work a job, to get off of our job, drive to a early voting location or drive to a voting  
644 location and cast your ballot. That's why drop boxes, especially drop boxes in the  
645 community, are important.

646 But what this bill does is, is says that a Supervisor of Elections can't place a drop  
647 box anywhere, unless it's a permanent branch of the Supervisor of Elections office. Or,  
648 unless it's an early voting location. And they can only have it for early voting hours, which  
649 kinda defeats the purpose. You might as well vote in person, early, at that point. And it  
650 also makes it more expensive for Supervisor of Elections to operate the drop boxes  
651 because it requires them to have them manned as long they're open, but it doesn't give  
652 them any more money to do that. It discourages Supervisors from taking the steps that  
653 they need to encourage people to vote. That passed unfortunately.

654 I wanna talk about..., this is the last bad thing I'll talk about before we get on to the  
655 good. This, to me, was the most egregious part of the session. We have something in  
656 Florida called the Sadowski Trust Fund for affordable housing. Here's how it works.  
657 When you buy a piece of property, you need a doc stamp. In order to get that doc stamp,  
658 you pay a tax. What happens when you pay that tax? Where does that money go? It  
659 goes into a trust fund. And the trust fund is meant to fund affordable housing. The key  
660 word in there is trust. When you have a trust fund, you should be able to trust that the  
661 legislature will use that money in accordance with its purpose.

662 So, since 2003, the legislature has colluded with the Governor to sweep, which is  
663 a nice word for steal, money from that trust fund and to use it for other purposes. 2003  
664 is a significant year. Politicians tend to do their dirt after they secured reelection. Jeb  
665 Bush was elected in '98. He was reelected in 2002. 2003 was the first legislative session  
666 after his reelection.

667 They've swept it every year, between 2003 to 2019. Over \$2.3BB, that could have  
668 and should have gone to affordable housing, went to other things, most notably, tax cuts  
669 for large corporations here in the State of Florida.

670 So this year, after folks really made an issue of it, they said we got it. We're not  
671 gonna take money out of the trust fund anymore. Cool. The problem is that came with a  
672 caveat. The caveat was that they were going to cut in half the money that went into the  
673 trust fund to begin with. So, it's almost saying who stole the cookie from the cookie jar.  
674 They say, okay, we're gonna solve that problem by making sure that the person who's  
675 putting the cookies in the cookie jar, doesn't put any in there to begin with.

676 And, you know, look, I agree that some of the things that they used to, to fund that  
677 money, infrastructure for sea level rise, septic to sewer coverts for our water quality, which  
678 is important. Those are notable and laudable goals, but you didn't need to fund those  
679 things on the backs of working class people who need housing that they can afford.  
680 Period. There's affordable housing crisis. Not just in Palm Beach County, but all over  
681 the state and we need that money. We have needed it for years. And rather than fixing  
682 the problem, they make the problem worse, and they made it worse permanently.  
683 Because that's a permanent change to the Sadowski Trust Fund for affordable housing.  
684 It's a shame. \$200MM of, of money, a year, is now off the table for affordable housing.

685 Let's get on to the good. Sometimes folks get what they believe to be a good idea,  
686 and it's not so good. I'm a former classroom teacher. Both my parents are, my  
687 grandparents and my great grandmother. I was a member of the union. The union was  
688 important to me because they negotiated my wages.

689 There was a gentleman named Cord Byrd, who said I've got a brilliant idea. We're  
690 gonna pass a law that makes it difficult for unions to collect their dues. And then after we  
691 make it difficult for them to collect their dues, we're gonna include in this law a provision  
692 that says we're gonna decertify, or eliminate the union if it can't collect dues from over  
693 fifty percent of its members. That's not right, but that's what they did. They made two  
694 exemptions, fire and police.

695 I wanna talk about..., I know Senator Powell talked a lot about equity, and about  
696 [inaudible] for people of color. Let's be, let's be for real. Black folk are under-represented  
697 in the fire and law enforcement professions. Women are underrepresented in fire and in  
698 law enforcement. Those professions have historically been for white men. Who is over-  
699 represented among teachers, sanitation workers, water plant operators and so on?  
700 People of color.

701 So, when you have a bill that makes it difficult for professions that are  
702 predominated by people of color to organize and to demand fair wages, while exempting  
703 professions that tend to be dominated by white men, you are targeting, on purpose or not,  
704 people of color and making it difficult for them to earn their living. We were able to stop  
705 this bill from passing. I saw it on the last committee that it came through before it died. I  
706 won't tell you what I went through in that committee, but let's just say I didn't finish the  
707 whole committee.

708 We were able, and Senator Powell spoke about this, we were able to secure  
709 \$1MM, not only in the budget, but to have pass the Governor's veto in, in their Port of  
710 Riviera Beach Safety Complex. I wanna shout out Senator Powell, and I wanna shout  
711 out Mr. Sean Pittman. It takes a team effort in Tallahassee because we're all in trouble

712 at one point or another. And, it's just like, if you put all your eggs in one basket, you're  
713 not gonna.., you're not gonna be able to come away with anything. We had Senator  
714 Powell, who has experience in this. He's served on Appropriations in the Senate. We  
715 had Mr. Pittman, who has relationships with folks in Tallahassee to go back just for four  
716 hours more. It took all of that to get these million dollars that we got for this Public Safety  
717 Complex, which I know is very much needed.

718 The other thing is, that we were able to come back with a bill that empowers local  
719 governments, that's HB 487. I reached across the aisle with a Republican member of the  
720 legislator to pass this. You guys have to have a Comp Plan. Every so often, you're  
721 allowed a small scale Comp Plan amendment. The small scale Comp Plan amendments  
722 that are too small makes it very difficult for you to make these changes to your Comp  
723 Plans so that you can encourage redevelopment. We passed this bill to put more power  
724 in your hands so that you don't have to ask folks in Tallahassee and wait for a review,  
725 which often takes ninety days or more in order to make these small scale Comp Plan  
726 changes by increasing the amount of land area that you're able to do.

727 So that was the session in a nutshell. Obviously, we had a special session. The  
728 special session was challenging for me because we passed, or ratified unfortunately, a  
729 Gaming Compact, that we know and that the Chair of Gaming Compact Committee knows  
730 not to [inaudible] federal scrutiny because it doesn't meet the requirements. Not only  
731 under federal law, but under state law. Yet, the legislature passed it. Because,  
732 unfortunately, in Tallahassee, the most important thing isn't reason, it's power. That's  
733 why we need more seats. Senator Powell said it's seventy-eight Republican in the House,  
734 forty-two Democrats in the House. That means, that often times, they don't even ask us  
735 what we think. So we need to win some of these seats in some of these swing districts,  
736 and hopefully, we'll be able to have a little more influence and say as to how things go in  
737 Tallahassee.

738 I appreciate ya'll. Thank you for inviting me.

739 **Chairperson Lanier:** Thank you, sir. Are there any questions for Mr. Hardy?  
740 [Pause]. Alright. Thank you so much. I appreciate all of your assistance for assisting the  
741 City of Riviera Beach.

742 Thank you.

743 Madam Clerk.

744 **9A. City Clerk Anthony:** Madam Chair, Members of the Board, we're now onto  
745 Item 9A.

746 **City Clerk Anthony: A PROCLAMATION OF THE CITY OF RIVIERA BEACH**  
747 **DECLARING JUNE 8, 2021 AS WORLD OCEANS DAY**

748 **Chairperson Lanier:** Go ahead.

749 **Councilperson Botel:** Thank you.

750 WHEREAS, World Oceans Day reminds us of the very beginnings of life and the  
751 many benefits and services the oceans have been providing to all people, in all places  
752 around the globe; and

753 WHEREAS, World Oceans Day was originally proposed at the 1992 Earth Summit  
754 in Rio de Janeiro and June 8<sup>th</sup> was officially declared World Oceans Day by the United  
755 Nations in 2009; and

756 WHEREAS, this celebration has grown from a ripple into a tidal wave, with a myriad  
757 of activities around the world aimed at increasing awareness about how oceans work,  
758 and how they're health is related to our own wellbeing; and

759 WHEREAS, Riviera Beach, like so many coastal communities and towns, owes it  
760 cultural heritage and sense of place to the ocean and it's natural jewels; and

761 WHEREAS, the intracoastal waterway, Lake Worth Lagoon, and the Atlantic  
762 Ocean meet at the Palm Beach Inlet, representing a self-sustaining, biodiverse habitat  
763 supporting marine life from tiny phytoplankton, producing the oxygen we breathe, to  
764 amazing dolphins, who serve as flagship species for the entire seven seas; and

765 WHEREAS, world class ocean explorers, , researchers and their organizations,  
766 and many operators offering experience on and in the water, have chosen Riviera Beach  
767 to launch and carry out their projects and programs, continuing the work of previous  
768 generations while advancing and contributing to the protection of our marine world and  
769 the sustainable development of Riviera Beach.

770 THEREFORE, BE IT RESOLVED, that I, Councilwoman Dr. Julia Botel of the City  
771 of Riviera Beach, Florida, do hereby proclaim that June 8, 2021, shall be known as World  
772 Oceans Day in the City of Riviera Beach and be recognized and celebrated as a means  
773 to foster support for those who have dedicated their lives to ocean research and  
774 conservation, and advanced awareness and appreciation of our oceans, their sustainable  
775 resource use and stewardship for our common future.

776 And just to let you know that, although World Oceans Day has been declared by  
777 the U.N. as June 8<sup>th</sup>, we will be broadcasting some videos that day from local ocean  
778 related organizations, such as the dolphin research tour groups, Loggerhead Marine Life,  
779 Palm Beach County Marine Industry Association and others. But we will be having a  
780 celebration on the following Sunday, in the afternoon, from 2:00 to 5:00 at the Ocean  
781 Walk Mall, under those beautiful blue awnings. And we'll have.., learn how to cook a, a  
782 lionfish, which we know we'd like to get out of waterways and cook them and eat them  
783 instead. You might win a free boat ride on the ocean. You could help us clean up the  
784 beach that day, or meet some local divers and a host of other interesting ocean related  
785 things.

786 So, I hope you come out and join us for World Ocean Day on Sunday, June 13<sup>th</sup>.

787 Thanks.

788 **Chairperson Lanier:** Thank you for that Proclamation. Madam Clerk.

789 **9B. City Clerk Anthony:** Madam Chair, Members of the Board, we're now on to  
790 Item No. 9B.

791 **City Clerk Anthony:** **WATER QUALITY PRESENTATION BY MAYOR RONNIE**  
792 **FELDER**

793 **City Clerk Anthony:** Mayor. Chairwoman Lanier and Members of the Board, we  
794 do not have any public comments on this Item. The acceptance of public comments on  
795 this Item is now closed.

796 **Chairperson Lanier:** Thank you. Mayor Felder.

797 **Mayor Felder:** Thank, thank you, Madam Chair.

798 Staff is gonna present this Item. I asked..., I had a meeting with City Manager and  
799 Staff concerning some of the water issues that we had. So, they're gonna come and give  
800 a short presentation.

801 Thank you.

802 **Chairperson Lanier:** Thank you.

803 Go ahead, Ms. Jacobs.

804 **Assistant City Manager Jacobs:** Sure. Thank you.

805 [Pause]

806 **Chairperson Lanier:** Before you get started, Ms. Jacobs, let me ask the Mayor,  
807 what is the reasoning behind this presentation?

808 **Mayor Felder:** Well, as the community know, we had some issues with the Pepsi  
809 Cola, and just some of our residents. So, I met with Staff, I believe yesterday. They gave  
810 me a recap of what happened with Pepsi, so I'm asking them to kinda present that so  
811 the community can better understand what went down with...

812 **Chairperson Lanier:** Thank you.

813 **Mayor Felder:** ...the Pepsi Cola plant.

814 **Chairperson Lanier:** Thank you so much for that.

815 You guys can go ahead and get started.

816 **Assistant City Manager Jacobs:** Sure. Thank you. Can you hear me?

817 **Chairperson Lanier:** No. We're having a little technical difficulties. Give her a  
818 second. [Pause].

819 **Assistant City Manager Jacobs:** Good evening. [Pause]. Good evening, Chair  
820 Lanier, other Councilpersons in your respective places, Mayor Felder, City Manager



821 Evans, Attorney Wynn. For the record, my name is Deirdre Jacobs and I'm the Assistant  
822 City Manager here with the City of Riviera Beach.

823 At the request of the..., of Mayor Felder...

824 **Chairperson Lanier:** Can you speak up a little louder?

825 **Assistant City Manager Jacobs:** Sure.

826 At the request of Mayor Felder, Staff was asked to put a short presentation together  
827 that would address some of the water quality issues here in the City of Riviera Beach,  
828 and to just talk briefly about some of the improvements that are taking place over on...,  
829 over at the plant. We met with the Mayor on yesterday to discuss some of the issues that  
830 he had that dealt with the plant. And, he asked that, in follow up to that, that we make a  
831 presentation to the Board and to the public.

832 So with that said, in my capacity as Acting Executive Director there, Mr. Pinkney,  
833 Melvin Pinkney, who is the newest member of our team. He's the water treatment plant  
834 Superintendent, Dr. Anthony Williams, is the Compliance Manager there, and of course,  
835 Nigel Grace is the USD's..., one of our consultants that helps us out in terms of assisting  
836 with some of the improvements and the development opportunities that are on the rise.

837 So, we put together a short pre'..., PowerPoint presentation for you this evening,  
838 just to go over, briefly, some of the, the facts that, that are occurring over at the District.

839 Slide please.

840 This simply is the short agenda that details what we're gonna discuss with you  
841 today, starting with an overview of the Utility District. And it, it will end with any questions  
842 that you may have of us, as a, as a team. Next slide.

843 The Riviera Beach Utility District was formed in 2004. It was formed in 2004 with  
844 a population in 1958 of approximately 13,000 persons. We know now that we have a  
845 customer base of a little over 42,000 persons we serve in terms of water, the municipal  
846 limits of the City of Riviera Beach, Gramercy Park, Palm Beach Shores. And we also  
847 provide sewer collection services for the Town of Mangonia Park.

848 The Staff at the District totals fifty-seven persons. There are five divisions. Right  
849 now, we have eleven vacancies, primarily in water distribution and collection, with a  
850 capital projects budget of about \$56MM, and an operating budget of about \$30MM. Next  
851 slide.

852 [Inaudible comment]

853 **Chairperson Lanier:** Oh, that's right.

854 **Assistant City Manager Jacobs:** So, with regard to the existing treatment  
855 initiatives that are taking place over at the plant, right now, we have a little over \$13MM  
856 in improvements that are going on as we speak. It is our hope and expectation that they'll  
857 be done some time in the spring of 2022. Many of them are in..., they were put in place

858 as a result of the Consent Order, as well as ways in which that we can improve the quality  
859 of the water that we provide to our, our customers.

860 Nigel Grace, from Brown and Caldwell, has been extremely instrumental in helping  
861 us to come forth with the improvements to our system. So, he's gonna present to you all  
862 of the existing treatment initiatives that are ongoing at the plant.

863 **Mr. N. Grace:** Thank you. Nigel Grace with Brown and Caldwell.

864 At first, I'd like to, to really congratulate this Council because, you know, you, you  
865 recognized the fact that you have an aging treatment plant that, you know, went for many  
866 years without adequate investment into it. And, everything that I've seen that Staff has  
867 brought before you to, to improve the performance and quality of, of the drinking water  
868 produced at that facility, this Board has taken action in, in approving.

869 So, as a result of that, you currently have two contractors working on this site, on  
870 multiple projects. Right? The, the, the..., the treatment plant is largely a collection of  
871 chemical feed systems that interact with the water to produce treatment objectives. Your  
872 existing plant does not have any of the controls or, or, or performance characteristics that  
873 would allow the plant to operate in a consistent, reliable manner.

874 Thee treatment investments are essentially going to give the operation Staff the  
875 tools needed to determine the appropriate level of treatment, operate the plant, you know,  
876 in a consistent ma'..., in a manner consistent with, with the, the objectives, and to maintain  
877 that with some level of consistency that would eliminate the swings in, in water quality  
878 that's, that's been plaguing the plant.

879 You also have significant..., to, to liken it to an old car, just imagine you had a  
880 twenty-five year old car that went a couple decades without adequate investments, didn't  
881 get through all the service checks, et. cetera and now things are beginning to fail. You  
882 know? One minute it's a transmission, the next minute it's..., it's something else. Right?  
883 And as you're fixing things, more things are breaking.

884 Well, the, the \$13MM that Ms. Jacobs indicated is, is r rather comprehensive for  
885 this plant. It won't fix everything, but it's going after the things that will give the operation  
886 Staff the tools needed to really get the best out of what that plant is able to deliver for the  
887 public. So that's where things are at, at this point in time.

888 The, the next slide that you'll see, highlights the, the key improvements that are  
889 being done by these two contractors. And again, you can see the chemical feed systems  
890 within this plant is largely the target of the improvements. Primor is, is addressing the  
891 lime feed system, as well as the carbon dioxide feed system. Those feed systems...

892 **Chairperson Lanier:** Mr. Nigel, when you say chemical feed systems, what does  
893 that mean?

894 **Mr. N. Grace:** Yes.

895           So, you, you..., you pull water out of the ground and in the process of treating it,  
896 you apply difficult chemicals, each of which has a specific treatment objective. Right?  
897 Like, for instance, lime. Your lime is used to soften the water. You add lime to the water  
898 and it pulls the natural hardness that's in the water, out of the water. Right?

899           The existing feed system is antiquated. Multiple decades old. It's a dinosaur.  
900 Right? So, you're getting a brand new system with all the modernized controls and  
901 capabilities for that. In addition to that, you're getting a recarbonation system.  
902 Recarbonation just means you're adding carbon dioxide to the water. Every time you pop  
903 a soda can, that effervescence, that's carbon dioxide. You're gonna be doing exactly the  
904 same thing to your water on a much larger scale than what you'd have in a soda can.

905           And what that carbon dioxide does, it allows you to regulate the pH of the water  
906 leaving the plant has a number of important chemistry type of, of benefits. You don't have  
907 that capability today. It doesn't exist within that plant, so it limits your ability to, to treat  
908 the water adequately because the pH is an important polymer to control, that capability  
909 doesn't exist.

910           In addition to that, GlobalTech, they're putting in a brand new disinfection system,  
911 eliminating the, the use of gas chlorine. They're adding a polymer feed system that will  
912 improve the performance [inaudible] process. It will reduce the amount of lime. In the  
913 process of softening the water, you create, it looks like talcum powder. Right? But it's  
914 really small particles of calcium carbonate. This is the same calcium carbonate many  
915 people take as a dietary supplement. It's in your medicine cabinet there.

916           But, but, but this is a real fine colloidal, you know, set of particles dispersing the  
917 water. The purpose of the filtration process is to remove those particles. Right? And,  
918 and this polymer feed system will aid in the removal of, of the, the, the calcium carbonate  
919 particles. So each of these chemical feed systems does something different. You know?  
920 That collectively work together to produce a, a desirable quality of water.

921           In addition to that, beyond the initial suite of improvements that was initially  
922 undertaken when both of these contractors was hired some time ago, the City has  
923 identified additional priorities in the plant. And, this Board has approved modifications to  
924 the respective contracts to enable these contractors to do additional improvements. One  
925 recently approved project was the rehabilitation of your filters. Right? So, your filters is,  
926 essentially, the last barrier. Right? Any fine particles that, that your, your lime softening  
927 process..., escapes the lime softening process is captured there.

928           So, the, the..., again, those filters, they're, they're dated, they're old. [Stammer]  
929 there's a lot of things just don't work right. This..., one of these two contractors is gonna  
930 go in and replace the [inaudible] and replace a lot of the, the peripherals in the filtration  
931 system to improve your performance of that. So, there are a number of complimentary  
932 improvements that are being done in the plant, as we speak. Right? That will ultimately  
933 produce a better water quality experience. Right?

934           You're, you're still gonna have lime softening technology. It's still 1950s and  
935 beyond technology, but you're gonna get better performance out of the plant that you

936 have. Right? And that's what this \$13MM that Ms. Jacobs described is, is really targeting.  
937 You know? Going and getting the best performance that you can out of the plant. Within  
938 reason.

939 Because, of course, the intention is to replace this facility so you can't go  
940 overboard. But there's a certain amount of domino effects. You can't just replace one or  
941 two things. You kinda have to get the key..., the key components needed to keep the car  
942 running. Right? You can put in a brand new transmission, but if you lose some other  
943 critical component, the car is still not gonna have mobility.

944 **Chairperson Lanier:** Okay. Dr. Botel...

945 **Councilperson Botel:** Madam Chair?

946 **Chairperson Lanier:** ...you have a question?

947 **Councilperson Botel:** Thank you.

948 **Chairperson Lanier:** Go ahead.

949 **Councilperson Botel:** Thank you.

950 So, you said..., you used the ultimately. [Chuckle]. That's my question. When can  
951 I say to people, 'The work is done. The water is better.'?

952 **Mr. N. Grace:** Okay. So, so..., the, the, the work is gonna be progressively  
953 completed between the latter pater of this summer and next spring. Right? Again, we...,  
954 let's say the contractors are working on ten different things.. They're all not gonna be  
955 completed at the same end point. Right? So, at different times, over the next, let's say  
956 the next year, right? Less than a year. Over the next eight months to ten months, different  
957 improvements are gonna kick in and progressively you'll have a better domain of  
958 [inaudible].

959 **Councilperson Botel:** I have one more. So, is there any reason why the water at  
960 Woodbine... I., there's a, a local way that people communicate, Nextdoor. I don't know  
961 if you're familiar with it, but a lot of people have..., on Nextdoor have been complaining  
962 about their water. And many of them live over in Woodbine. Is their water any different  
963 from the rest of the City? For any reason? Or...

964 **Mr. N. Grace:** What's the nature of the complaints?

965 **Councilperson Botel:** [Stammer] they vary. The color, the, the..., mostly the color, I  
966 guess.

967 **Mr. N. Grace:** Mostly the color.

968 **Councilperson Botel:** Some people just...

969 **Mr. N. Grace:** Yeah.

970 **Councilperson Botel:** ...say it doesn't smell right, but the color I would say is the  
971 biggest complaint.

972 **Mr. N. Grace:** Yeah.

973 **Councilperson Botel:** So when, when will that be addressed?

974 **Mr. N. Grace:** So, well, these, these improvements... Let's back up a little bit. You  
975 know, the color is inherent to the characteristics that are tied to the groundwater supply  
976 that you have. Right? More South Florida Utilities, they have the same color water.

977 Your lime softening technology is fairly limited in its ability to reduce [inaudible].  
978 Right? That's one of the benefits of going to the membrane treatment. What you need  
979 to do with this plant, and the improvements that we're making here, is achieve a much  
980 higher degree of consistency with performance. It still won't be bottled water quality,  
981 obviously. But, but you're not gonna have higher color one day, lower color the next. You  
982 know? And, and that variability..., you know, a lot of people are sensitive to change.  
983 Right? If you, if you maintain a fairly consistent color, that's one thing. When it starts  
984 varying, right? That's when you have a different outcome.

985 Another thing that the City is, is doing, they're in the process of doing a condition  
986 assessment of the well field. And, you know, with, with, you know, most people in the  
987 operations business, you know that no two wells are identical. Right? You, you have  
988 twenty-seven wells and each of them has its own little idiosyncrasies and characteristics.

989 Once you get more of your wells in better operating condition, then the City will  
990 also have the flexibility to select the wells that are more favorable, in terms of color.  
991 Right? To, to more consistently operate wells that produce a better outcome at the plant.

992 So there are a number of things coming together. You will see, towards the end  
993 of the year, you will start seeing improvements. The work that Primor is, is doing, which  
994 is tied to the carbon dioxide feed system and the lime feed system, those are two  
995 important components. Every time your existing lime system goes out of operation or  
996 gets into a funk, for whatever reason, it has a direct and immediate impact on color.  
997 Right? With this new system, you should, you should..., you know, much of that variability  
998 should go away.

999 **Chairperson Lanier:** Okay. Go ahead.

1000 **Councilperson Botel:** And just, just so that people listening at home and people  
1001 here will know, the color comes from what? And, and is there any problem drinking it?  
1002 The color...

1003 **Mr. N. Grace:** No.

1004 **Councilperson Botel:** What, what causes the color to be...

1005 **Mr. N. Grace:** So, so...

1006 **Councilperson Botel:** ...yellow?

1007 **Mr. N. Grace:** ...so the color is basically the, the end product of vegetative matter  
1008 that has dissolved and become a part of the water for eons. This, this geologic era.  
1009 Right? And it's millennia old. [Chuckle]. And it, it., the technical terminology used for  
1010 this substance is, is phthalic and humic acids. Right? It's gonna reduce the just basic.,  
1011 basic organic material. There's no known public health hazards associated. It's common  
1012 to South Florida groundwaters. South Florida groundwaters are relatively unique to many  
1013 groundwater sort in the United States, most of which don't have this particular issue.

1014 So, those substances, in and of themselves, [stammer] doesn't po'., it's an  
1015 aesthetic concern.

1016 **Councilperson Botel:** Yeah.

1017 **Mr. N. Grace:** Right? But, it's not a public health concern.

1018 **Councilperson Botel:** Thank you.

1019 **Assistant City Manager Jacobs:** Madam Chair?

1020 **Councilperson McCoy:** Madam Chair?

1021 **Chairperson Lanier:** Yes. Go ahead.

1022 **Assistant City Manager Jacobs:** Dr. Botel, in follow up to your question, I, I  
1023 wanted to ask Dr. Williams if he could provide for you information with regard to the water  
1024 being safe.

1025 **Councilperson McCoy:** So, can I ask a question of...

1026 **Chairperson Lanier:** Wait. Let me., let her, let her, let her finish, sir. Let her finish.  
1027 There was a question, responding to Dr. Botel. Let them finish. Go ahead, sir.

1028 **Dr. Williams:** Good evening. My name is Dr. Williams. I'm the Compliance  
1029 Officer over at USD.

1030 When it comes to the color, as Mr. Grace has stated, color is a secondary  
1031 contaminate, which means that the United States EPA, they do not look at it as something  
1032 that affects our health.

1033 When it comes to our monthly compliance, here in the City, I can assure everyone,  
1034 that we are compliant. We do test, every month, we te'., we sample forty-two sites on a  
1035 regular basis. And that's not including our raw water wells. When we do sample these  
1036 wells, we have to report these results to the Department of Health and all of the results  
1037 always come out absent. Total chloroform is natural in drinking water. So the EPA does  
1038 allow you to have up to five percent. However, we don't exceed that. We are usually, or  
1039 always, within the limits so that we don't ever get any citations or any., get in any trouble  
1040 with the, the Department of Health.

1041 Our public water supply is safe. The quality of it is at its best. And again, I can  
1042 assure everyone that, based on the testing that we do every month, we do test every day,

1043 the, the drinking water supply. And, we do go out every month. And we have all of this  
1044 documented.

1045 **Chairperson Lanier:** Alright. Very good. Thank you.

1046 Councilman McCoy, you had a question?

1047 **Councilperson McCoy:** Yes. So, to clarify Mr. Grace, you spoke of color. And, you  
1048 know, Councilwoman Botel, are we speaking of the tint that's associated with the lime  
1049 softening process? The light greenish tint?

1050 **Councilperson Botel:** Yeah...

1051 **Mr. N. Grace:** [Inaudible]...

1052 **Councilperson McCoy:** Or are we speaking of the cloudiness and the clarity?

1053 **Mr. N. Grace:** I'm, I'm speaking of the tint. It's...

1054 **Councilperson McCoy:** Okay.

1055 **Mr. N. Grace:** ...kind of a, a pale tea color tint.

1056 **Councilperson Botel:** Right.

1057 **Councilperson McCoy:** Okay. So, well, that would be an explanation for, excuse me,  
1058 for the, the color or what you described as the tint. But, what about the cloudiness and  
1059 the content of the water? Because I've seen certain cases where appears to be actual  
1060 particles in the water.

1061 **Mr. N. Grace:** Yes. Those, those particles are the calcium ca'.., I'm assuming the  
1062 par'.., the particles, I haven't looked at what you've [stammer] precisely seen, but any  
1063 cloudiness you'd see in the water will be due to remnants of the calcium carbonate that  
1064 is, is removed from the raw water as part of the treatment process. If.., it, it depends on  
1065 where you see those particles. Right? But, the.., to the extent that particles escape the  
1066 filtration process, then, then that will be calcium carbonate particles that you see.

1067 **Councilperson McCoy:** Follow up.

1068 **Chairperson Lanier:** Yeah. One more question then we're gonna let them finish  
1069 their presentation. Go ahead.

1070 **Councilperson McCoy:** I wanna get clarity because he said a few things. So, if you'll  
1071 allow me...

1072 **Chairperson Lanier:** You have another question. Go ahead, sir.

1073 **Councilperson McCoy:** Okay. Well, I thought I have ten minutes. No?

1074 **Chairperson Lanier:** Go ahead, sir.

1075 **Councilperson McCoy:** Okay. Well let me... You mind if I start my timer?

1076 **Chairperson Lanier:** You have one que'..., you have one question to ask. Go  
 1077 ahead, sir. I...

1078 **Councilperson McCoy:** Well...

1079 **Chairperson Lanier:** ...want them to finish their presentation.

1080 **Councilperson McCoy:** Well, I thought we...

1081 **Chairperson Lanier:** You can ask...

1082 **Councilperson McCoy:** ...were gonna address...

1083 **Chairperson Lanier:** ...as many questions as you would like. They're in the middle  
 1084 of their presentation, and I want you to go ahead and get your question out so they can  
 1085 finish.

1086 **Councilperson McCoy:** Okay. Well that answer was not clarification. So, Mr. Grace  
 1087 and Mr. Williams, speaking to the calcium carbonate, is there a EPA testing on the  
 1088 allowable amount of calcium carbonate?

1089 **Mr. N. Grace:** Yes. Okay. So, calcium carbonate, as, as was just indicated, is a  
 1090 secondary consequent. It's not a regulated contaminate. There's no public health  
 1091 outcome. The only reason why you have the existing lime softening plant is to reduce  
 1092 calcium carbonate, but it's purely discretionary.

1093 If you were to go to central Florida, very few of the water Utilities in central Florida  
 1094 remove calcium carbonate. Same groundwater. Right? And if you notice, you go to a  
 1095 hotel there, the water tends to be a little harder, your, your soap takes a little bit more to  
 1096 soap., soap up. You know? Their calcium carbonate level is in the hundreds. Right?  
 1097 Because, they do not have treatment to remove it.

1098 Here in South Florida, and again, it's just the way the Utility [inaudible] is purely  
 1099 discretionary. You have a treatment plant designed to remove calcium carbonate. Right?  
 1100 So, it, it's, its., removal of calcium carbonate is not a public health issue, it's not a  
 1101 mandatory requirement. It's discretionary. Your customers are used to it, you, you want  
 1102 to do it on a consistent basis.

1103 If you have any [inaudible] treatment where the hardness goes up, you know, a  
 1104 little bit or is lower, it's, it's purely an aesthetic. Customer perception. But, but there's no  
 1105 public health outcome associated with that.

1106 **Chairperson Lanier:** Okay. Thank you. You can go ahead and finish your  
 1107 presentation.

1108 **Councilperson McCoy:** So, can I ask another question?

1109 **Chairperson Lanier:** No. No, no. No, no. We're gonna finish the presentation. Let  
 1110 them get everything out. Because the questions that you're asking may be a part of their  
 1111 presentation.



1112 So, let me let them finish.

1113 **Councilperson McCoy:** Okay.

1114 **Chairperson Lanier:** Go ahead, sir.

1115 **Mr. N. Grace:** Okay. So, I, I think I'll just wrap up this slide.

1116 The next slide is just pivoting to the future. Again, you know, just a reminder that,  
1117 you know, all of these improvements that are being [stammer] the existing water plant is  
1118 intended to extend the service life, just a few years to bridge to, to, to really where the  
1119 City is going, which is a brand new water plant that will incorporate modernized  
1120 technology, give you, you know, superior quality products that, that, that will really put in  
1121 the rearview mirror a lot of the challenges that, that you've [inaudible] encountered with  
1122 this system. That, that process will produce a consistently high quality water. The  
1123 technology will provide broad spectrum removal of many consequence in the water.

1124 So, it's really future proofing the plant, so to speak. There's just no comparison  
1125 between the current technology that exists today, and the technology that, that you're  
1126 headed towards. As part of that work, you're gonna be updating your wells, you're gonna  
1127 be diversifying your supply, you'll have a brand new treatment technology with new  
1128 capabilities that I, I think will benefit the, the City of Riviera Beach for many, many years  
1129 to come.

1130 So, so that's where we're headed to. Right now, you know, I think the City's been  
1131 struggling with making all the necessary investments to keep the existing plant because  
1132 you have to continue to operate that plant in the present, but without going, you know,  
1133 without spending multiple tens of millions of dollars at a plant that, in the end, you're still  
1134 gonna have, you know, seventy year old technology working..., working for you.

1135 So, so the City's working on, on both fronts. You know, to, to keep the existing  
1136 ship flying, while at the same time, positioning the City for the future and where you want  
1137 to go.

1138 That was the, the last slide that, that I had as part of this, this presentation.

1139 **Chairperson Lanier:** Okay. Very good. Go ahead, Ms. Jacobs.

1140 **Assistant City Manager Jacobs:** So, Madam Chair, this is for the benefit of the  
1141 Council and the public. Maybe about a week ago, there was an incident over off of 26<sup>th</sup>  
1142 Street and 26<sup>th</sup> Court, wherein one of our collection Staff, he, he needed water in order to  
1143 mix it with concrete. So, what he did was, he opened the fire hydrant to, to take the water  
1144 to mix it with the concrete in order to repair the sidewalk. But, when he opened the  
1145 hydrant, he opened it up in a way that he shouldn't have and it caused a flood of water.

1146 So, when it did, when it did that, of course, all the..., in just layman's term, the water  
1147 rushed into the hydrant. And what it did, it created a flurry of activity which caused the  
1148 water to come through the pipes at a tremendous speed and it aggravated the system

1149 over in that area. And because of that, at least for maybe a few hours, the residents...  
1150 the residents in that area experienced a higher amount of turbidity than normal.

1151 So, we wanted to bring that to your attention as well. But, as soon as we heard  
1152 about it, the Staff went out to that neighborhood and they spoke with the residents in that  
1153 area and explained what happened, and just advised them to run their water for a short  
1154 period of time. And the water cleared up.

1155 **Chairperson Lanier:** Thank you very much.

1156 **Assistant City Manager Jacobs:** Also, Madam Chair...

1157 **Chairperson Lanier:** Go ahead.

1158 **Assistant City Manager Jacobs:** ...with regards to the end of our presentation,  
1159 Staff has been working night and day to work with another consultant that has been  
1160 assisting us with developing an RFQ. It is hopeful that it will go out on the street with'...  
1161 within the next couple of weeks to begin the process for us to go ahead and construct the  
1162 new water treatment plant, within the next thirty-six months.

1163 **Chairperson Lanier:** Thank you. [Sigh]. Thank you for that. I know that, not just  
1164 myself, not just this Board, but everybody who lives in the City of Riviera Beach are  
1165 concerned about their water.

1166 We know that the City of Riv'..., West Palm Beach, in certain areas, cannot even  
1167 drink the water at this point. So, there..., it's just not the City of Riviera Beach, it's, you  
1168 know, Utility Districts across the country, in terms of struggling. Especially with their  
1169 almost sixty year old water plant that we have.

1170 So I applaud the Utility District for..., that incident that you mentioned, that, that I  
1171 was called on, the fact that the City is trying to fix one plant while building another. There  
1172 has to be a lot of work that, that is going on. We can appreciate that. And we can  
1173 appreciate the fact that when something does happen, the City responds to it right of way  
1174 to be able to, to take care of it.

1175 But, of course, and I appreciate this, this presentation, given the fact that, as I said  
1176 before, everyone is concerned about, you know, what we put in our bodies and, and the  
1177 drinking water that we have in the City.

1178 With that being said, the Board, if you want to ask any questions, you can so at  
1179 this time.

1180 **Councilperson Lawson:** Madam Chair?

1181 **Chairperson Lanier:** Yes. Go ahead, sir.

1182 **Councilperson Lawson:** Thank you.

1183 Ms. Jacobs, question. Who did you say touched the fire hydrant?

1184 **Assistant City Manager Jacobs:** Madam Chair, for the record...

1185 **Councilperson Lawson:** [Inaudible].

1186 **Assistant City Manager Jacobs:** ...it was one of our Staff people.

1187 **Councilperson Lawson:** And, are they permitted..., I'm, I'm not familiar with...

1188 **Assistant City Manager Jacobs:** Well, he's not...

1189 **Councilperson Lawson:** ...their access...

1190 **Assistant City Manager Jacobs:** He wasn't..., it wasn't a prohibition for him to  
1191 open the fire hydrant in, in order to get the water, but it was the manner in which he did  
1192 it.

1193 **Councilperson Lawson:** Okay. So, what process are we putting in place to make sure  
1194 we regulate this doesn't happen again?

1195 **Assistant City Manager Jacobs:** So, it was quite uncommon for him to do that,  
1196 but his supervisor did speak with him and we believe that it won't happen again.

1197 **Councilperson Lawson:** Okay. 'Cause normally...

1198 **Assistant City Manager Jacobs:** [Inaudible].

1199 **Councilperson Lawson:** ...I, I, I'm not sure of the regulations of the fire hydrants and  
1200 usage by City Staff, but I thought those were prohibited to Fire Department only usage.

1201 **Assistant City Manager Jacobs:** No. We, we use..., we open the hydrants on a  
1202 regular basis when we need to flush the areas.

1203 **Councilperson Lawson:** So..., but, it was just the way that he used it? So the train'...

1204 **Assistant City Manager Jacobs:** I'm sorry?

1205 **Councilperson Lawson:** So, the training for this employee is just what needs to be  
1206 addressed?

1207 **Assistant City Manager Jacobs:** Well, it is quite uncommon. What, what he did  
1208 was, was..., it was unique. So, it's not something that should've been done, and it's not  
1209 something that's done on a normal basis. He should've only opened it to just get a small  
1210 amount of water.

1211 **Councilperson Lawson:** Mhmm.

1212 **Assistant City Manager Jacobs:** But that's not what he did.

1213 **Councilperson Lawson:** So, then what I may re'..., recommend is just that we do some  
1214 retraining for our Staff because with this one situation, it seems like there was a, a  
1215 shortcoming in regards to understanding what the expectation is when it comes to flushing  
1216 that system. So, that can't happen again.

1217 **Assistant City Manager Jacobs:** Yes, sir.

1218 **Councilperson Lawson:** And, I just have a few questions, Madam Chair.

1219 **Chairperson Lanier:** Yes. Go ahead. You have another question and I'll let the  
1220 rest of the Board also entertain their questions as well. Go ahead, sir.

1221 **Councilperson Lawson:** Thank you.

1222 Well, I am appreciative of the presentation. And we've addressed kind of the band-  
1223 aid on this water plant that has been dilapidating for a number of years. I think we stated  
1224 that there's a..., we're trying to extend the existent service life. How long are we trying to  
1225 extend that life and what's the total budget of the investment we're making?

1226 **Chairperson Lanier:** Mr. Nigel, do you wanna answer that?

1227 **Mr. N. Grace:** Certainly.

1228 The, the..., well, the City has a goal of establishing a, a replacement water treatment  
1229 plant within a few years. Right? Now, to use an automobile analogy, you know, if you're  
1230 gonna put a transmission in a car, you put a transmission in the car. Right? You don't  
1231 put a transmission in a car to only last you, you know, three years or five years.

1232 So, with these improvements that are being implemented, you are improving, you  
1233 know..., you're, you're putting in new equipment, right? That's gonna provide useful life,  
1234 you know, you know functional, useful life potentially well over a decade. Right?  
1235 [Stammer] so, so you're making good sound investments that are really essential at this  
1236 point in time, to be able to keep the operating plant going.

1237 Where you're holding off is on some of the major structural things that would  
1238 require a significant infusion of capital. Right? To, to..., you're, you're not trying to upgrade  
1239 the entire plant. You're being selective and strategic about upgrading the elements to the  
1240 plant, that will have delivered the biggest bang for the buck, if you will. Right?

1241 But where you're choosing to invest, you know, you're going all in and you're,  
1242 you're making it right, to be able to equip the Staff to, to, to carry over their jobs.

1243 **Chairperson Lanier:** Yes. Thank you. I'll come back to you, Councilman Lawson.  
1244 Are there any other questions from the Board? Yes. Go ahead, Councilman McCoy.

1245 **Councilperson McCoy:** So, can you clarify..., in fact, I'm gonna ask that you have  
1246 something like this, I would hope that the Members of the body is brought aware of this,  
1247 because this is the first that I've heard. And obviously, if this caused such a problem, I  
1248 would hope that there's a documented incident report or something of that effect. But,  
1249 you know, I mean, I can't field calls when I'm not provided with the information that there  
1250 was potentially a problem. And this is my opinion, no different than when we have notices  
1251 that we have to then provide for whatever reason, if there's some sort of precautionary  
1252 measure to boil water.

1253 But if you some sort of breach in the system that causes an adverse effect on the  
1254 end users, can you kindly share it to the Board Members, because I had no knowledge

1255 of what was said today. And I know, if you're speaking of West 26<sup>th</sup> Court, I would imagine  
1256 that's some, some portion of the areas that I represent.

1257 And, I just don't wanna kinda be the last to know. And sometimes I'm the first to  
1258 be asked. So kindly, I would hope that this is something that we can formalize. That way,  
1259 when we do get approached with these inquiries, we know exactly what it is. Because,  
1260 you know, until today, we're speaking of something that occurred last week. I mean, I, I  
1261 just think that there has to be a better communication.

1262 So, can we..., or is that prohibited?

1263 **Assistant City Manager Jacobs:** Madam Chair?

1264 **Chairperson Lanier:** Yes. Go ahead.

1265 **Assistant City Manager Jacobs:** It's my understand that what occurred did not  
1266 rise to the level of a formal notification, like a boil water notice. And Mr. Pinkney can  
1267 speak to that more on a technical manner that I can.

1268 **Councilperson McCoy:** But it was obviously worth bringing to the public City Council  
1269 meeting, so it wasn't a minor event.

1270 Okay. I...

1271 **Chairperson Lanier:** Are you...

1272 **Councilperson McCoy:** ...yield. I yield.

1273 **Chairperson Lanier:** Okay. Yes. Thank you very much. Dr. Botel, any other  
1274 questions that you have?

1275 **Councilperson Botel:** Just, just briefly.

1276 I, I was referring people to the City's webpage to look at the water quality report.  
1277 And it looks like the 2019 report was the most recent one on there. Will there be a, a  
1278 more recent report put, put up there?

1279 **Assistant City Manager Jacobs:** So, Madam Chair?

1280 **Chairperson Lanier:** Yes. Go ahead.

1281 **Assistant City Manager Jacobs:** Dr. Botel, on our meeting yesterday with the  
1282 Mayor, that's an issue that came up, that it would be prudent for us to make sure that our  
1283 webpages are updated with regards to Utility Special District. So, from this point forward,  
1284 we're gonna work on that, and we'll put measures into place where the public will be  
1285 adequately informed whenever we have issues like the one that occurred, that Mr. McCoy  
1286 spoke of, as well as our reports that are shared with the Department of Health.

1287 **Councilperson Botel:** Thank you.

1288 **Chairperson Lanier:** Thank you.

1289 **Councilperson Botel:** And I just wanted to thank you all for, for attending the town  
1290 hall meeting I had recently. It was wonderful to have you all there. And I congratulate  
1291 Mr. Melvin on his promotion to a supervisor over there. 'Cause I know you've spent a  
1292 good many years. I., maybe I shouldn't say but thirty? Is it thirty years? Thank you.  
1293 Thank you for your service and congratulations on your promotion. And thank you for  
1294 being there the other day. I appreciate it.

1295 **Chairperson Lanier:** Thank you. Commissioner Miller-Anderson, do you have any  
1296 questions that you want to ask at this time?

1297 **Chair Pro Tem Miller-Anderson:** Yes. Can you hear me?

1298 **Chairperson Lanier:** Yes. Go ahead.

1299 **Chair Pro Tem Miller-Anderson:** Thank you.

1300 I just wanted to make a comment. I certainly appreciate the efforts that's being put  
1301 forth with the individuals that are currently over at the Utility District. If you all were  
1302 around, or following what was going on back in 2016, I can assure you that we had  
1303 [chuckle] we didn't even have ten percent of the information that we're receiving now.

1304 There's been a higher level of transparency that has been occurring with this new  
1305 Administration, and with the Board. We have received more water quality presentations,  
1306 water update presentations, than when we truly had some major issues going on, that  
1307 was truly being hidden from the public.

1308 And, the only way that it was really disclosed was because of the media getting a  
1309 hold of it. And that is what brought it to the attention, and caused., there was so much  
1310 that was revealed that had been going on for several years that no one knew about, and  
1311 that dealt with a lot of Consent Orders through the Health Department, the State. There  
1312 were a number of those issues that were, turned out, were very serious things that were  
1313 going on that was not made aware. So, I., I'm glad that we are not in that situation.

1314 We do have some issues but, as we have heard, this, this this Utility District  
1315 Department, this building has been around for many, many decades and it's been  
1316 neglected for many, many decades. And so, we have definitely, as a Board, taken more  
1317 precautions and more steps to improve the water quality. And I think we have to be proud  
1318 of what we have done, because that is not what was happening for many years prior. At  
1319 least from what I can speak of, back in 2016 [inaudible].

1320 And so, although we have some challenges, as we see, some cities have more  
1321 [inaudible] challenges and, and more dire challenges than we do. We're not saying we're  
1322 perfect, but we are certainly trying to be transparent about what we're doing. And also,  
1323 we're trying to do something about it. And I think the improvements that we have agreed  
1324 to make are a great step in the right direction.

1325 And so, thank you, Staff, for doing what you do. I know it's not easy and I know  
1326 as a resident, you know, we, we definitely want safe water. We all want that. And we  
1327 want to see clear water, not the tint that we see that sometimes messes up the toilet, or

1328 your tub. But I, I'm glad to hear that there's some sort of measures in place to make sure  
1329 that all of the water is safe.

1330 So, thank you all. I just wanted to make that comment.

1331 Thank you.

1332 **Chairperson Lanier:** Thank you so much for your comments, Commissioner  
1333 Anderson.

1334 **COMMENTS BY THE PUBLIC – 7:30 P.M. – NON-AGENDA ITEM SPEAKERS (Three**  
1335 **Minute Limitation)**

1336 **Chairperson Lanier:** At this time, it is 7:30 and we need to...

1337 **Mayor Felder:** Madam Chair, can I ask one question?

1338 **Chairperson Lanier:** No. Because it's public comment time. It is 7:30. The public  
1339 comes here to make their comments. And we can pick this up after public comments,  
1340 sir? That's okay with you? Very good. Let us go to public comment.

1341 Madam Clerk, thank you for your presentation. We might have to come back  
1342 because there may be some other questions from the Board. But we need to get to our  
1343 public comment because the public comes here to be able to start this on time.

1344 **Chairperson Lanier:** PLEASE BE REMINDED THAT THE CITY COUNCIL HAS  
1345 ADOPTED RULES OF DECORUM GOVERNING PUBLIC COMMENT DURING  
1346 OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE FRONT DESK IN AN  
1347 EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO,  
1348 THE COUNCIL CHAIR MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE  
1349 REMOVED FROM THE PODIUM, FROM THE MEETING AND/OR THE BUILDING, IF  
1350 NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY.

1351

1352 **PUBLIC COMMENT SHALL BEGIN AT 7:30, UNLESS THERE IS NO FURTHER**  
1353 **BUSINESS OF THE CITY COUNCIL WHICH, IN THAT EVENT, IT SHALL BEGIN**  
1354 **SOONER. IN ADDITION, IF ANY ITEM IS BEING CONSIDERED AT 7:30, THEN**  
1355 **COMMENTS FROM THE PUBLIC SHALL BEGIN IMMEDIATELY AFTER THE ITEM**  
1356 **HAS BEEN CONCLUDED.**

1357 **ANY PERSON WHO WOULD LIKE TO SPEAK DURING PUBLIC COMMENTS,**  
1358 **PLEASE FILL OUT A PUBLIC COMMENT CARD, LOCATED AT THE FRONT DESK,**  
1359 **AND GIVE IT TO THE STAFF BEFORE THE PUBLIC COMMENT SECTION IS**  
1360 **ANNOUNCED.**

1361 **Chairperson Lanier:** Madam Clerk.

1362 **City Clerk Anthony:** Madam Chair, Members of the Board, the acceptance of  
1363 public comments at this time is closed.

1364 Lesa McComben, Billie Brooks, Cindy March.

1365 **Ms. L. McComben:** Good evening everybody.

1366 **Chairperson Lanier:** Good evening.

1367 **Ms. L. McComben:** I just have just a couple of quick questions. I'm new to Riviera Beach.  
1368 Been here about a year. Love the City.

1369 My question is Goodmark..., Goodmark Park. When are the lights all gonna fixed  
1370 over at Goodmark Park? And from when..., when I look up there, I, I think I see a gunshot  
1371 meter. Is that..., is that in use? Does it actually work? And, also, what was there first, the  
1372 park or the speed bumps? Because, the speed bumps don't effectively shield kids who  
1373 cross that street to go to the park. The speed bumps are way too far apart from the park.  
1374 And I see kids darting across that street, and cars missing them, because they'll go over  
1375 a speed bump and then speed through the area where the park is. And then there's  
1376 another speed bump probably about five to seven hundred feet passed the park. And so,  
1377 then they'll slow down there. But it makes no sense to have a park there and the speed  
1378 bumps so far apart that, that the kids, you know, can't safely cross the street.

1379 But, my number one issue is the lighting in the park. Really, it's been out ever  
1380 since I, I bought my home across the street from the park. So.

1381 And, that's pretty much what, what I have to say. And, not a FAMU fan, I'm  
1382 Pepperdine but, you know, school is school. So.

1383 **Chairperson Lanier:** [Chuckle]. Alright. Thank you very much.

1384 At the end of the public comments, we will have the City Manager to address all  
1385 the issues from the residents who come to the podium.

1386 **City Clerk Anthony:** Billie [stammer]... Billie Brooks, Cindy March, Trisha  
1387 Williams.

1388 **Ms. B. Brooks:** Good evening to Mayor, Chair, all the Councilpersons, and our City  
1389 Manager. I think about you a lot. I pray for you. [Chuckle].

1390 I wanna start off first with some thank yous. I certainly wanna thank the Mayor for  
1391 his \$1,000 contribution to the Riviera Beach Cares. We certainly appreciate it.

1392 And my second thank you is to the Council for now looking at the Brooks  
1393 subdivision for affordable housing. That some..., a project that my then husband and  
1394 Mayor started way back when. And I'm sure it had to be a challenge for you all to reach  
1395 back and get all the information about it. But, we need it very much in our City and I'm  
1396 glad that we're moving forward.

1397 Now, I just wanna make a comment. I certainly... Is Ms. Deirdre Jacobs still here?  
1398 Well, I had the opportunity to attend the quarterly meeting that Dr. Botel had at last week.  
1399 And, I was just so proud, first of the way that Deirdre and her Staff presented the



1400 information. I mean, they represented the epitome of professionalism and competence.  
1401 And that's something we should all be proud of.

1402 Now, when I was on the Council, we had issues with the water situation, but people  
1403 let us just move forward now. We were letting this thing become something to divide us.  
1404 In our last election, so many lies went around about the situation there, the water plant.  
1405 People were confused. But let's stop looking in the rearview mirror. Let's move forward.  
1406 Don't just try to nitpick and find every little thing that you can find about this water report.  
1407 We are moving forward. So let us just work as a team. Don't do anything to divide us as  
1408 a City. And this one issue almost divided us as a City.

1409 But we're moving now. We're moving forward. As I say, get your eye out of the  
1410 rearview mirror. Let's look forward and just appreciate the wonderful Staff that we have  
1411 now, that's working on this situation.

1412 Thank you for listening.

1413 **Chairperson Lanier:** Thank you.

1414 **City Clerk Anthony:** Cindy March, Trisha Williams, Eric Williams.

1415 **Ms. C. March:** Good evening.

1416 We've been moving forward for three years with this water plant. My question is,  
1417 when he said something about the wells system, what about the lift system? How often  
1418 are [inaudible] maintained in the sewer system? Because the sewer system is so  
1419 corroded, that has a lot to do with the contamination of the water. The water is yellow  
1420 and green.

1421 And not only that, it look like every other year, you all are updating the water  
1422 assistant program, to pay your bill. I came over yesterday to pay my bill. The bill said  
1423 \$63.93. Through June 1<sup>st</sup>. I paid the bill. So, when the guy looked at me, he say, 'You  
1424 know the bill really \$151.00.' Well, why is it not stated on the bill?' Mind me, I just paid  
1425 \$151.00 April 30<sup>th</sup>. At approximately 2:14. So how, [inaudible] gonna be \$150.00?

1426 And I understand it might be a mistake. So I addressed to my landlord, 'cause  
1427 she, she's gonna be more professional than I am. Just point blank, simple as that.  
1428 Because ya'll upgraded this program, these computer systems, first the young lady took  
1429 my check. She stamped paid on it. Then she took the check in the back. So the young  
1430 guy came out. He said, 'Ma'am, let me help you do it on the machine.' I said, 'So, what  
1431 you want? My credit card or my Capital One card?' He said, 'Either one. As long it got  
1432 a Visa slogan.' So when he slid it in there, paid the bill, got a receipt, a balance of eighty  
1433 some dollars.

1434 I'm gonna let my landlord handle it very professionally, but I want answers.  
1435 Because I'm not gonna pay a hundred and fifty something dollars every month. For a  
1436 water bill. And I know there's not a leak in that building. So, somebody need to address  
1437 the problem. And I mean, she's gonna take care of it on her end. But I would like ya'll  
1438 to look into it because I'm not the only one have issues with the water bill.

1439           So it's just not about the contaminated water. It's our water bill is so high and we  
1440 have not, as residents, got a notice saying the bill's gonna be triple than what it's  
1441 supposed to be. It's utterly ridiculous, it's shameful. I'm not gonna look back. I'm gonna  
1442 stay where I'm at because I'm gonna address these issues, and you all are gonna have  
1443 to answer to them.

1444           Because, there's no reason why you pay \$13MM and some other stuff is not gonna  
1445 be taken care of. If I'm gonna pay \$13MM, I'mma make sure I get what I paid for. Point,  
1446 blank, simple as that. I mean, I can call MSNBC and do an investigation. Have 'em come  
1447 out and test my water and go forward. I'm not threatening, it's a promise. We need to  
1448 get it together.

1449   **Chairperson Lanier:**           Thank you.

1450   **City Clerk Anthony:**           Trisha Williams, Eric Williams, Mary Brabham.

1451   **Ms. T. Williams:**    Good evening everyone. My name is Trisha Williams and I am proud  
1452 to say that I'm a new homeowner in the City of Riviera Beach. My husband grew up in  
1453 this area. And, I have grown to love the City of Riviera Beach. We have two little boys  
1454 who have tried patiently and quietly to keep it down during the meeting.

1455           And, I'm here to address two things as a homeowner. First, let me cover the one  
1456 as a mother. As I said, I have two little boys, ages six and eight. And, I am really  
1457 concerned about our playground. We live off of 20<sup>th</sup> St'., West 19<sup>th</sup> Street. And so, we  
1458 are right across from Wells Recreation Center. Well, the Recreation Center, but the  
1459 playground there doesn't look great. Our kids have been at home and on lockdown now  
1460 for fifteen, sixteen months. And so now that we're going down the street, you know, to  
1461 go to our local playground, it really looks dilapidated. And, it became more evident to me  
1462 when over the Memorial holiday, we went to Singer Island and there was a playground  
1463 and it look fresh and new.

1464           So, my question to you is, how can we get this playground taken care of? Is it  
1465 something that we as a community need to do? Is it something that you all are taking  
1466 care of? I am here to help in any way. If I have to garner support from my neighbors in  
1467 Park Manor to get this done, we will. But we really need help for our kids. And my kids  
1468 are not the only ones on that street, we have several growing families, and we would love  
1469 to have a place that our kids can play safely. That's my first comment.

1470           The second one is, as a homeowner, I know that there are several different  
1471 programs that different cities have, and were just wondering if there were any programs  
1472 coming soon, to our area, that would help with things like new roofs or other updates on  
1473 your homes.

1474           So, those are my questions and comments. Thank you.

1475   **Chairperson Lanier:**           Thank you so much. And welcome to the City of Riviera  
1476 Beach.

1477   **Ms. T. Williams:**    Thank you, Madam Chairperson.

1478 **City Clerk Anthony:** Eric Williams, Mary Brabham, Doretta Paulk.

1479 **Mr. E. Williams:** Good evening. My name is Eric Williams. This is our son, Michael  
1480 Williams.

1481 And, I spoke with Commissioner Miller-Anderson last week just to let her know that  
1482 Michael has been racing BMX for the last two years.., two and a half years, which last  
1483 year was basically a, you know, a lockdown year. He didn't really get to do anything. But,  
1484 he just, last weekend, he just became the number one rider in the State of Florida for A  
1485 intermediate.

1486 [Applause]

1487 **Mr. E. Williams:** So, I just wanted to come.., I think Ms. Miller-Anderson.., yeah, has  
1488 some pictures there that I sent him on the bike.

1489 **Chairperson Lanier:** There's some pictures about... Yeah. There they are.

1490 **Mr. E. Williams:** Yeah. So, he's.., in, in the short two years that he's been racing, he's  
1491 actually... He went over to Cape Coral a couple months ago, won the.., he won holeshot  
1492 award, which he got \$50 for. He was on a team called Deadweight Racing. This is his,  
1493 this is his jersey, part of his uniform. They're out of Jacksonville.

1494 But, like I said, we just.., it's a sport that.., it's an Olympic sport now and he met..,  
1495 he actually got to meet Connor Fields, which is the last gold medalist that won back in..,  
1496 where was the last one? I think Rio or Brazil?

1497 **Unk.:** Rio.

1498 **Chairperson Lanier:** Rio.

1499 **Mr. E. Williams:** Rio. So, he won.., he, he got to meet him and that's his goal, to one  
1500 day go to the Olympics and win gold.

1501 So, we just wanted to kinda acknowledge him. And, tomorrow is his ninth birthday  
1502 so...

1503 **Chairperson Lanier:** Oh.

1504 **Mr. E. Williams:** He'll be, he'll be moving up.

1505 But, that's all we wanted to...

1506 **Chairperson Lanier:** Well, congratulations, Mr. Michael Williams. And Happy  
1507 Birthday to you as well from the City of Riviera Beach.

1508 Give him a round of applause.

1509 [Applause]

1510 **City Clerk Anthony:** Mary Brabham, Doretta Paulk, Erica Davis.

1511 **Ms. M. Brabham:** Good evening. Mary, Mary Brabham.

1512 I'm gonna give a sh'.., give a shout out to the vendors that were there on last  
1513 Sunday, sweet Italian ice, the popcorns, the barbecue, that Monday. All of those vendors  
1514 there, we love you. Thank you. And thank the Staff that provided all of those.., the treats  
1515 for us.

1516 I'm gonna say something because Commissioner Miller-Anderson touched on it as  
1517 well. See, Ms. Brabham was in that with the news with our water in 2016, and all of that,  
1518 and all of that, and all of that. Every paper it is pertaining to our aqua filters and our water  
1519 because Ms. Brabham has it. She shares it with each City Manager, as well as Ms.  
1520 Jones. Pepsi Cola, all of you five Fortune companies in this City here, this is nothing new  
1521 to you. The Board that we have here, has done more in addressing the needs of our  
1522 water in this City than any other elected officials that have sat on that Board.

1523 Why can Ms. Brabham...

1524 [Clapping]

1525 **Ms. M. Brabham:** ...say that? Because they have only been interested in interested in  
1526 their little pet peeves. They're little projects. City Manager, you as a Board, whatever  
1527 money is gonna be trickled down, we don't want you spending it to the, to, to the  
1528 Councilpeople up there.

1529 We want the investment in our plant to be built. West Palm Beach got a bad water  
1530 problem that nobody's [inaudible] about that, and some of them live in Riviera.., in West  
1531 Palm Beach.

1532 But thank you, to the Utility District. Thank you, Staff, for addressing, to rise into  
1533 the occasion. Because water is life. And I will forever say that. And thank you, some of  
1534 you as a Board for addressing this problem.

1535 Some got in there, that was your mission from day one. You should've continued  
1536 on that. You should not have deviated to start on other things. You must do the critical  
1537 things that this City needs instead of putting your needs before the residents' needs. And  
1538 this will not work. Not in this season of time.

1539 Every piece of money, City Manager, and you Councilpeople, invest it in building  
1540 up what we need to build up in this City here. Not just our City is having water.., a problem.  
1541 Other cities is building up their plants, because they realize the ageing of their  
1542 infrastructure has deteriorated. It's just like our bodies.

1543 And my condolences goes out to Mr. Earl Davis and his family. You have Ms.  
1544 Brabham's deepest condolences. Yes, Mr. Davis and I, we, we were copartners. He was  
1545 outspoken, as well as Ms. Brabham. But we always deviated on the issues that was  
1546 pertinent for our City. And Ms. Brabham will continue to do that.

1547 So no money, no money will be spent out until we get our plant made.

1548 Thank you.

1549 **Chairperson Lanier:** Thank you, Ms. Brabham.

1550 **City Clerk Anthony:** Doretta Paulk, Erica Davis.

1551 **Ms. E. Davis:** Good evening, Council, City Manager.

1552 I just wanna piggyback off of what Ms. Brabham just said. We need to put this  
1553 water situation to rest because Mr. Evans and his Staff, they are doing the best that they  
1554 can by putting a \$15MM band-aid on something that we need to take care of. We have  
1555 a \$150MM project and we don't have any money to get this done, and they're trying the  
1556 best they cou'.., they can to get this money to put in this water plant.

1557 Now, your bill is high because, in the plan, you were supposed to get tax for this  
1558 water plant within five to six years. Am I correct? So, that is why your water bill is high.  
1559 We don't have the money yet for the \$150MM water plant. They're trying to get it.

1560 So, City Councilperson, you know this, Mr. McCoy. So, you need to stop trying to  
1561 make this a big deal or a political stunt, you know, for your, your, your election next year.  
1562 You know what the real deal is, and they're trying as best as they can to get this money  
1563 up. The \$14MM that we're getting from the federal grant, that needs to all go towards  
1564 that.

1565 Now, all of you, while you're, you're recklessly writing checks to foolishness, you  
1566 need to be putting.., allocating some of that money towards the water plant if you're so  
1567 concerned about it. Maybe even releasing your aide, if that's what you need to do, Mr.  
1568 McCoy. Or your salary, for that matter.

1569 [Inaudible audience comment]

1570 **Ms. E. Davis:** But ya'll need to stop knocking on the Staff, including the Staff, Mr.,  
1571 Mr. Sirmons and all of them. I'm sick of hearing about Facebook, I'm sick of hearing all  
1572 of this stuff. These people are professionals and they're doing a great job, so stop  
1573 nitpicking. Because you're not doing a thing.

1574 By the way, when are we gonna have a town hall meeting? 'Cause you haven't  
1575 had one since you've been in here but one. For three years.

1576 And I thank you, Mr. Evans, and your Staff, all of you for doing an excellent  
1577 professional job in this City. And I'm gonna give you all the credit in the world 'cause  
1578 you're doing a great job. You're very professional, you know what you're doing, and you,  
1579 you people need to stop it. You two.

1580 Thank you.

1581 **Chairperson Lanier:** Thank you, Ms. Davis.

1582 **City Clerk Anthony:** Doretta Paulk, Herenda Brown. No, Brenda Brown. My  
1583 apologies.

1584 **Ms. D. Paulk:** Good evening. My name is Doretta Paulk. And, I would like to  
1585 also address some issues that I hold very dearly, and very concerned about.

1586 At the last couple of, of Council meetings, there was a representative from the Port  
1587 of Palm Beach, and he was just telling that he's gonna be presenting the City with  
1588 \$45,000. And, Councilman Lawson, misstating that maybe the forty-five dollars could  
1589 possibly be used for the arts and poetry. No. I don't think not one nickel of this \$45,000  
1590 should used for arts and poetry.

1591 I love the arts. I love the arts, but we have bigger, bigger problems that we have  
1592 to solve in this City. So, just like the other speaker said, every dime should go to the  
1593 processing this new water plant. This new Fire Station we need for our firewomen and  
1594 men. Every dime.

1595 Another thing, Mr. McCoy, you stated that it sounded like it might be a shakedown.  
1596 I don't think the Port Commissioners, I don't think Mr. Evans, I don't think this Council will  
1597 think this was a shakedown. They came to the City offering this money. Mr. Evans  
1598 certainly didn't go to them. So, I think that when you make comments like that, it doesn't  
1599 help the situation at all and the City of Riviera Beach.

1600 You all need to come aboard and help assist Mr. Evans in taking care of the entire  
1601 City. That's what his goal is. To take care of each and every one of us.

1602 And also, about these community benefits. I think each and every one of you all  
1603 should dedicate some or part of that money, and put it for...

1604 **Unk. Audience:** The water.

1605 **Ms. D. Paulk:** ...the water plant...

1606 [Clapping]

1607 **Ms. D. Paulk:** ...the Fire Station. And I'm gonna keep talking about this because  
1608 I've talked about this before, that you all should.., that, that is [stammer] be basically our  
1609 money. So put it for everybody for the, the welfare of this water. Very precious.

1610 Another thing. I wanna [stammer].., my condolence goes out to Mrs. Gwen Oats.  
1611 She lost her dear grandmother. Her grandmother was a part of Lindsay Davis. I was  
1612 able to meet her. What a wonderful woman she is. She always said, 'Dear, how you  
1613 don'? Did you sleep well? How ya feeling today?' So, I know the type of precious person  
1614 she was, and I know Mrs. Gwen Oats loved her dearly. And I wanna thank Ms. Gwen  
1615 Oats, Ms. Alice Williams, and Mr. Blankenship for the things that they do for the seniors  
1616 in Riviera Beach.

1617 So let's get, get, get on the board here. Mr. Lawson and Mr. McCoy, we need to  
1618 work together...

1619 **Chairperson Lanier:** Thank you so much.

1620 **Ms. D. Paulk:** ...to get this water plant...

1621 **Chairperson Lanier:** Thank you so much.

1622 **Ms. D. Paulk:** ...and this Fire Station...

1623 **Chairperson Lanier:** Yes, ma'am.

1624 **Ms. D. Paulk:** ...up.

1625 **Chairperson Lanier:** Thank you...

1626 **Ms. D. Paulk:** I thank you...

1627 **Chairperson Lanier:** ...so much.

1628 **Ms. D. Paulk:** ...very much.

1629 **Chairperson Lanier:** Thank you.

1630 **City Clerk Anthony:** Brenda Brown.

1631 **Ms. B. Brown:** Good evening all. My name is Ms. Brown.

1632 I too would like to address this water situation. It, it, it is continuing to develop. I'm  
 1633 gonna digress back to 2009. I've been in Riviera Beach for quite some time now. You  
 1634 guys raised our water bills, you didn't send anything out to any of the residents. Any city  
 1635 or, or, or municipality, or, or, or Utility company, if you're gonna raise your rates for your  
 1636 residents, or people in the [inaudible], you need to give them notice.

1637 Our bills..., well, my bill started out being thirty-five dollars a month. And I live in a  
 1638 gated community. Now, my..., now my water bill has [stammer] tripled, almost quadrupled.  
 1639 How can that be? I'm never at home. There's only three people in my house. We're  
 1640 gone all day. So, I don't understand why this is still an issue and why we're just letting it  
 1641 just, you know, just [inaudible]. Something has to be done about this.

1642 And, as you all know, there's other situations going on in other cities with this water.  
 1643 Now, I know that if, if, if you really wanted to get this did, instead of just saying, 'Okay,  
 1644 we're gonna do this, we're gonna do that.' I do understand that the budget and what you  
 1645 have, and the monies that you got for that is, is kinda, like, [inaudible] and you're doing  
 1646 this, and you're doing that. But this situation is not gonna get any better if we don't do  
 1647 anything about it.

1648 And then another thing that I noticed, like, in the mornings, during rush hour, okay?  
 1649 I mean, rush hour in the morning is usually, what? 7:00 to 9:00, or [stammer], or 6:00 to  
 1650 8:00 or whatever. It just..., I guess it depends on where you live, but, sometimes in the  
 1651 morning, the railroad tracks, it's like the trains are constantly coming. You know, you  
 1652 can't get by and stuff like that. Even when you leave on time. Like I say, there's a lotta  
 1653 things that need to be did.

1654 And, the..., and, and, and by our water bills continuing to escalate, something has  
 1655 to be did about that, and you're not informing the residents why it's escalating with the  
 1656 fact that the water is, is the entire situation. The water treatment is still pending. So, you

1657 know, we need to do better. We need to really do something about this, instead of talking  
1658 about it, we need to be about it.

1659 Thank you.

1660 [Inaudible audience comment]

1661 **Chairperson Lanier:** Thank you

1662 [Inaudible audience comment]

1663 **City Clerk Anthony:** Madam Chair, Members of the Board, that concludes our  
1664 public comments.

1665 **Chairperson Lanier:** Thank you so much for the public, for those comments. Mr.  
1666 Evans, could address some of those comments that were made by the residents?

1667 **City Manager Evans:** Certainly, Madam Chair.

1668 I was gonna start with Mr. Williams. I think he left, but that's such a great  
1669 accomplishment. And, and we're certainly proud of what he was able to accomplish. And  
1670 I was gonna invite him to go out riding with our law enforcement team, and maybe  
1671 challenge them to a friendly race. Nonetheless, we'll reach out to him and, and make  
1672 sure he gets the information.

1673 With regards to a couple of the items that were communicated by members of the  
1674 community. With respect to Goodmark Park and the lights being out, I'll have Director  
1675 Blankenship take a look at that this evening, and, and see if there's anything that we can  
1676 do to get that resolved. If there are some lights out, we can certainly get that remedied.

1677 As it relates to the speed bumps at the park, we can do some research and have  
1678 the City Engineer take a look at if their appropriately placed. And, if in fact the speed  
1679 bumps were an afterthought, or they were there before the park was constructed, we can  
1680 make the appropriate modifications to address that, 'cause we certainly don't want a  
1681 situation whereby you can have a pedestrian and vehicular incident.

1682 The City is actively moving forward in regards to a solicitation document for the  
1683 new water treatment plant. The projected cost for that is anywhere between \$100MM to  
1684 \$150MM. Our intent is to release the solicitation document at the beginning of next week.  
1685 That is a monumental step towards getting the water quality that we are looking for, to  
1686 receiving in, hopefully, thirty-six months.

1687 With respect to the water bills. One of the things that we constantly hear persons  
1688 have issue with, is the amount of the water bill, and why the water bills increasingly go  
1689 up. There's a couple of reasons. But primarily, most of the costs are associated with  
1690 debt issuance that municipal governments have to go out to make infrastructure  
1691 improvements. And the other side of it, is the cost for operating. Every commodity, every  
1692 good, every service that we acquire goes up in cost. So, in'.., invariably, if the cost to  
1693 produce and treat the water goes up, and you have an aging, archaic asset, it provides  
1694 for significant challenges.



1695 And, this Board, has been the Board that has invested the most money in the water  
1696 plant, in probably a generation. And will be the Board that will move forward with  
1697 ultimately bringing a new water treatment plant online. So, we will be willing to have the  
1698 conversation and discussion with any persons in the community, or even convening a  
1699 meeting, to talk about the rate and what is incorporated in the rate.

1700 One of the larges fees that you have in the rate is the actual availability fee, and  
1701 that's a fixed charge. And that fixed charge is usually levied when a Utility District, or a  
1702 Utility is constructed, and that is the fee that is apportioned to all the members of the  
1703 community, all the connections, to make sure that one generation doesn't foot the bill for  
1704 the entire investment.

1705 So when we move forward with a new water treatment plant, realize that there is  
1706 some fees associated with that and there is revenue that the City would have to collect to  
1707 be able to pay back the debt issuance. But we're looking at innovative and creative ways  
1708 to help minimize the impact to the rate payers.

1709 We are hearing conversations that are occurring both on the..., both sides of the  
1710 aisle in Washington, and it looks like Utilities, as well as water and wastewater  
1711 incorporated in that, is a priority by the Administration, as well as both parties. So, we're  
1712 hopeful that something may come out of Washington, DC that addresses some of the  
1713 infrastructure.

1714 I did have a conversation with Senator Powell about the opportunity to receive  
1715 funds from the supplemental list. The State of Florida did very well this year. And so,  
1716 there is some monies that's available, so we are gonna go after some other projects. So,  
1717 we may have some additional appropriations that are coming to our community. But we'll  
1718 work through that.

1719 With respect to the sewer system. As stated, the sewer system is a portion of the  
1720 infrastructure operations. There is some sewer improvements that invariably are going  
1721 to happen, as infrastructure ages. We have a program whereby we try to be as [stammer]  
1722 as much proactive as possible. But there is no cross contamination between the sewer  
1723 and, and the potable water supply. If that was the case, we'd be the first ones to let the  
1724 community know, but there is no cross contamination with regards to that.

1725 And the City does not tret the sewer. Our infrastructure is what takes the sewer to  
1726 the ECR, and that's where the treatment is, .., is provided. So, it's not handled by the City  
1727 of Riviera Beach.

1728 As it relates to the playground. The playground is going to be relocated when we  
1729 look to have discussions with the Board and bring you the Site Plan for the Fire Station  
1730 87. So, when we look to do that relocation, there's some other amenities and things that  
1731 we can do to improve that particular condition.

1732 As it relates to funds that are available for home improvements, or grants. That's  
1733 something that we do wanna discuss with the Board, and see if there is an appetite to  
1734 immolate some of the programs that are available at the CRA, to have it on the City side.  
1735 So we are having that conversation internally, and look to have a more robust discussion

1736 with the Board as part of your budget program, so you can definitely see if there's some  
1737 things that you want to bring to life on the City side, similar to that of the CRA.

1738 As it relates to the trains. We've had the conversation about that. In a perfect  
1739 world, certainly we would not want the trains to impact our community as much as they  
1740 do, but unfortunately, we have..., or fortunately, depends on your perspective, we do have  
1741 a lot of cargo that comes in to our community and goes to the Port of Palm Beach, that  
1742 does over seven..., or \$8BB worth of import/export business with the Bahamas.

1743 So, you are going to have that influx of train traffic. The time in which those trains,  
1744 that, that's outside of our purview. And that's one of the most challenging endeavors that  
1745 we're gonna try to see if there's some type of reasonable accommodations that can be  
1746 made.

1747 And I believe that completes the comments that were communicated by the public,  
1748 Madam Chair.

1749 **Chairperson Lanier:** Thank you so much, sir, for that response. Madam Clerk, our  
1750 next item.

1751 **City Clerk Anthony:** Madam Chair, Members of the Board. Madam Chair, I believe  
1752 you stated that you were gonna go back to the water quality presentation for questions.

1753 **Chairperson Lanier:** Oh yes. I did. I'm sorry. Mayor.

1754 **Mayor Felder:** Mhmm.

1755 **Chairperson Lanier:** I did not mean to cut you off, I just wanted to make sure that  
1756 we got the public comment in. So, you...

1757 **Mayor Felder:** [Inaudible].

1758 **Chairperson Lanier:** ...can have the floor.

1759 **Mayor Felder:** I, I just had a question and Mr. Evans answered one of them. It was  
1760 a hundred and..., \$100MM to a hundred and fifty because I think Councilman Lawson  
1761 asked that question.

1762 Are we going to [pause] private public partnership with the water? The Utility  
1763 District?

1764 **City Manager Evans:** Madam Chair, if I may?

1765 **Chairperson Lanier:** Yes. Go ahead.

1766 **City Manager Evans:** We are looking at that opportunity, so it would be a design-  
1767 build finance. Similar to that what's being considered for Fire Station 88. So, we are  
1768 looking at that opportunity.

1769 **Mayor Felder:** Thirty-six months?

1770 **City Manager Evans:** Yes, sir.

1771 **Mayor Felder:** And I know a lotta planning has to go in. So, it can't be fast tracked?

1772 **City Manager Evans:** That is, that is the fastest we can probably look to deliver that.  
 1773 However, we believe, and when we do have some subsequent budget conversations with  
 1774 the Board, that we can conceivably have some activities, some construction activities on  
 1775 that site within the year. So we can start having some incremental progress on that.

1776 But some of the permitting process, all that stuff, will be going concurrently.  
 1777 Actually, we've started some of that project..., started a [stammer] part of the process  
 1778 already.

1779 **Mayor Felder:** Okay.

1780 Thank you. That's it for me, Madam Chair.

1781 **Chairperson Lanier:** Thank you so much. Are there any other questions. I know  
 1782 that I cut the presentation short for the Board to..., commenting for public comment. Did  
 1783 any of you have any more comments for the presentation..., the water presentation?

1784 **City Manager Evans:** Madam Chair?

1785 **Chair Pro Tem Miller-Anderson:** Madam Chair?

1786 **Councilperson Lawson:** Madam Chair?

1787 **Chairperson Lanier:** Yes. Go ahead, Commissioner Anderson.

1788 **Chair Pro Tem Miller-Anderson:** I just wanted to make..., just add to my comment.  
 1789 For those who may not have been aware of what took place in 2016. Please go back and  
 1790 just google Riviera Beach water, and you will come up with a, a litany of articles that took  
 1791 place so that people can understand the seriousness of what was going on and things  
 1792 that were being hidden from the public.

1793 So, I, I just want people to really understand there is a difference in what's going  
 1794 on now versus what was taking place over there.

1795 Thank you.

1796 **Chairperson Lanier:** Thank you. Yes. Go ahead, sir.

1797 **City Manager Evans:** Madam Chair, and one of the things, after our conversations  
 1798 with the Mayor, we are going to revamp our Utility District website. We're going to have  
 1799 every presentation we've made to the Board or at a civic agency, we're gonna have those  
 1800 presentations that are gonna be downloadable. We're gonna be putting more information  
 1801 on the water quality stats. We're gonna be putting information concerning, you know, if  
 1802 somebody just moves to the area and asks questions about the water, we're gonna have  
 1803 kind of a fact sheet and things that folks can be able to grab, as well as the progress as  
 1804 it relates to our capital projects camp'..., campaign.

1805           And then, we're also gonna provide the elected officials with kind of a cheat sheet  
1806 on Utility District 101. Because, invariably, you're gonna get asked, you know, ten to  
1807 fifteen questions and we're gonna provide you those answers to what.., the some of the  
1808 commonly asked questions are so you can have that.

1809           But in the event that anyone in the community is interested in having the  
1810 conversation with us or, or facilitating a presentation, Staff and myself will certainly make  
1811 ourselves available. Because, at the end of the day, we wanna make sure you have all  
1812 the information to be assured that we're taking the steps to move this particular issue  
1813 forward. And nobody wants to have to deal with some of the challenges that other  
1814 municipalities have, but we are trying to accelerate and move as quickly as we possibly  
1815 can to bring this plant out of the ground.

1816 **Councilperson Botel:**       Madam Chair?

1817 **Chairperson Lanier:**       Thank you so much. Yes. Go ahead.

1818 **Councilperson Botel:**       I, I have a question for Mr. Evans. Will, will the information  
1819 you put on the web include information about when the pipes will be replaced? That issue  
1820 came up at the town hall meeting, and I, I wanna be sure that people understand that, not  
1821 only are we gonna build a new water treatment plant, but also the pipes, the whole  
1822 system.., we're looking at the entire system.

1823           So, it would be good if that kind of information were put on the website as well. If  
1824 you could.

1825 **City Manager Evans:**       Ma'.., Madam Chair, if I may?

1826 **Chairperson Lanier:**       Yes. Go ahead.

1827 **City Manager Evans:**       Certainly, we can put some information as it relates to our  
1828 repair and maintenance program, and then our reconstruction program related to  
1829 distribution lines, and the like. So, that's something that we certainly realize that that's  
1830 part of the process and we will communicate that with the public when we're moving  
1831 through that.

1832 **Councilperson Botel:**       Thank you.

1833 **Councilperson Lawson:** Madam Chair?

1834 **Chairperson Lanier:**       Thank you. Yes. Go ahead, Madam Clerk,.

1835 **City Clerk Anthony:**       Madam Chair, Members of the Board...

1836 **Councilperson Lawson:** Madam Chair?

1837 **Chairperson Lanier:**       I'm sorry? You had a question?

1838 **Councilperson Lawson:** Yes, ma'am.

1839 **Chairperson Lanier:**       Go ahead, sir,.

1840 **Councilperson Lawson:** Thank you, Madam Chair.

1841 Mr. Evans, for clarity, you said that the RFP would..., the RFQ would be released  
1842 within one to two weeks?

1843 **City Manager Evans:** Madam Chair, if I may?

1844 **Chairperson Lanier:** Yes. Go ahead.

1845 **City Manager Evans:** The intent is for the document to go out the first part of next  
1846 week.

1847 **Councilperson Lawson:** Okay. And the timeline for that water plant of thirty-six  
1848 months, you stated would be completion and finalized? New water plant? Or is that  
1849 gonna be the beginning construction of the water plant?

1850 **City Manager Evans:** In the thirty-six month period?

1851 **Councilperson Lawson:** Yes. Yes, sir.

1852 **City Manager Evans:** We'd like to be completed with construction in thirty-six  
1853 months.

1854 **Councilperson Lawson:** And how quickly can we get funding streams and options for  
1855 funding this water plant? And then also, additional income revenue for the City to cover  
1856 the cost of this water plant? I mean, can we talk about the financing options?

1857 **City Manager Evans:** Madam Chair, if I may?

1858 **Chairperson Lanier:** Yes. Go ahead.

1859 **City Manager Evans:** We, we are gonna be having that discussion with the Board  
1860 about utilizing some of the monies that have been provided from the federal government  
1861 as seed capital for the purposes of the project.

1862 Additionally, as it relates to going out to the bond market, that's something that the  
1863 Finance Director and I can provide you with a more robust conversation as part of our  
1864 budget discussions on June 12<sup>th</sup>, because there are some things that the City would have  
1865 to do in the event that we're gonna go out for a bond issuance.

1866 But, we are looking at some other revenue..., or some other streams of pots of  
1867 money through the state, as well as through the federal government that can conceivably  
1868 look to reduce the burden, as well as the design-build finance option that will be  
1869 discussed.

1870 But all those particular options and what is necessary to facilitate that, is antic'...,  
1871 anticipated to be part of your budget conversations that will happen here in the next  
1872 month.

1873 **Councilperson Lawson:** Perfect. The \$2TT American Infrastructure Plan is being  
1874 rolled out, with a lot of the dollars just coming down the pipeline. I think we will have the

1875 money to get start and to begin this project immediately. I like the aggressive approach  
1876 of thirty-six months to get us., our residents a brand new water plant. And I'm very  
1877 appreciative of the work that you and Ms. Jacobs has done.

1878 So, thank you so much.

1879 **Chairperson Lanier:** Thank you. Very good. Madam Clerk.

1880 **PUBLIC HEARINGS**

1881 **ORDINANCES ON SECOND AND FINAL READING**

1882 **10. City Clerk Anthony:** Madam Chair, Members of the Board, we're now on to  
1883 Item No. 10.

1884 **City Clerk Anthony:** **ORDINANCE NO. 4166 AN ORDINANCE OF THE CITY**  
1885 **COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA,**  
1886 **AMENDING CITY CODE OF ORDINANCES CHAPTER 31, ZONING, ARTICLE V, IG**  
1887 **GENERAL INDUSTRIAL DISTRICT, SECTION 31-383 (2), BY ADDING A NEW**  
1888 **SUBSECTION "a" INCREASING THE MAXIMUM ALLOWABLE BUILDING HEIGHT**  
1889 **IN THE CENTRAL AREA OF THE PORT FROM 50 FEET TO 150 FEET, AND**  
1890 **DEFINING THE CENTRAL AREA OF THE PORT AS "THAT AREA BORDERED BY**  
1891 **W. PORT ROAD & BROADWAY, AVENUE E, AND DR. MARTIN LUTHER KING JR.**  
1892 **BLVD."; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND**  
1893 **PROVIDING FOR AN EFFECTIVE DATE.**

1894 **CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060**

1895 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have public  
1896 comment on this Item. The acceptance of public comment on this Item is now closed.

1897 **Chairperson Lanier:** Mr. Evans.

1898 **City Manager Evans:** Madam Chair and Members of the Board, at this time, I'd like  
1899 to have the Development Services director, Mr. Clarence Sirmons, make this  
1900 presentation.

1901 **Chairperson Lanier:** Thank you. Mr. Sirmons.

1902 **Development Services Director Sirmons:** Good evening, Madam Chair.

1903 **Chairperson Lanier:** Good evening.

1904 **Development Services Director Sirmons:** Members of the Council.

1905 Good evening, Madam Chair, Members of the Council, Mr. Mayor, Madam  
1906 Attorney and Mr. Manager. I am Clarence Sirmons, Director of Development Services.  
1907 And I am before you this evening to present the Items related to Florida Sunstar Logistics.

1908 **City Clerk Anthony:** [Inaudible].

1909 **Development Services Director Sirmons:** I...

1910 **Chair Pro Tem Miller-Anderson:** Madam Chair? Are you all having..., is it his  
1911 microphone? But it's really staticy.

1912 **Chairperson Lanier:** Okay. We'll try and fix that. Maybe, maybe bring it down a  
1913 little bit further from your... Yeah.

1914 **Development Services Director Sirmons:** Yeah.

1915 The, the previous presentation was the correct one.

1916 So, as you are aware, this Item is related to Florida Sunstar Logistics. They have  
1917 two applications that are for consideration for Council this evening.

1918 The first is the second hearing for the text amendment they have requested for  
1919 their related Zone District, and the second is for Site Plan approval. My presentation will  
1920 cover both Items, and of course, the vote would be separate.

1921 These are the Site Plan numbers under consideration today.

1922 So, before you again, is the image of the affected area, which is hashed in pink.  
1923 This is the affected area for the proposed text amendment for the Ordinance before you.  
1924 The area outlined in red is the subject area for the Site Plan proposal before you. It's  
1925 located within the Port of Palm Beach, between Avenue E and Broadway on the east and  
1926 west, and Port Road Drive and Dr. Martin Luther King Jr. Blvd. to the south and north.

1927 Again, the text amendment before you today for consideration is an application for  
1928 the approval to increase the maximum building height from fifty to a hundred and fifty feet  
1929 on approximately 17.75 acres of land at the Port in the center of the IG, or General  
1930 Industrial Zoning District. This request comes from a desire to facilitate and expand the  
1931 opportunities for future growth and economic development of the Port of Palm Beach,  
1932 and allow for the construction of a hundred and fifty foot high material storage structure  
1933 by Florida Sunstar Logistics.

1934 For context, Staff has highlighted other structures in the area that are at similar  
1935 heights. They include the FPL stacks at their plant, the Cemex silos right on the other  
1936 side of Broadway from the proposed site. Some of the light poles also at this site are at  
1937 a hundred and ten feet in height. The increased height area is a portion of the overall  
1938 Zoning District and would not apply to the entire Port boundary.

1939 The Site Plan associated with this proposed development include a 12,271 square  
1940 foot, a hundred and fifty foot tall cement material storage dome; a one story, 2,080 square  
1941 foot office building; a 2,568 square foot mechanical equipment building; and then  
1942 associated parking for the project.

1943 And some items, just for clarification, the material storage dome is to store dry  
1944 materials used to create concrete. The materials in concrete include stone, sand and  
1945 cement. The tank cannot be used to store liquids. This is not a batch plant. And the  
1946 closest Riviera Beach resident is 1,400 feet away, approximately.

1947 Again, in red, is the area outlined for the proposed Site Plan. This is a picture of  
1948 the proposed Site Plan. [Pause]. Additionally, at the urging of Staff, the applicant  
1949 considered the aesthetic of the proposed structure at this site and, as a result of those  
1950 conversations, they created the renderings that are on the subsequent slides. Two  
1951 designs are before you for consideration this evening. The Planning & Zoning Board  
1952 requested that a second be presented to Council for your consideration.

1953 This is the first rendering of the, the dome and the original. It has the City of Riviera  
1954 Beach at the top on both sides, so traffic heading north or south can see the City. And, it  
1955 would also serve as some..., a sort of beacon for a entryway into the City for those heading  
1956 north on Broadway. And it has an aquatic design featuring dolphins at the bottom.

1957 The second rendering, Option 2, which was generated subsequent to Planning &  
1958 Zoning Board meeting, includes the mural at a high level on the dome, and additional  
1959 aquatic life at the bottom of the dome. It is also illuminated at the top in the evening.

1960 For the record, Staff does recommend the second rendering for approval.

1961 Here's a section of the flyover bridge next to the proposed dome structure, and the  
1962 building for the site. And, on the subsequent slides are the conditions for the Site Plan  
1963 before you for consideration.

1964 First, that construction must be initiated within eighteen months of the effective  
1965 date of this Resolution or it shall be null and void. Two, City Council authorizes Staff to  
1966 approve future amendments to the Site Plan administratively, so long as they do not  
1967 deviate more than five percent from what is being presented before you tonight. Three,  
1968 this development must receive a final Certificate of Occupancy within five years or this  
1969 Resolution shall be deemed null and void.

1970 Four, all future advertising must state that the, the development is located within  
1971 the City of Riviera Beach. Next, once approved, this Resolution shall supersede any  
1972 previous Site Plan approval Resolutions associated with this property. Six, the  
1973 concurrently processed Ordinance associated with the increase in the allowable structure  
1974 maximum height for the Zoning District must be approved before the Site Plan. Seven,  
1975 the applicant shall provide a check payable to the City of Riviera Beach for not less than  
1976 \$45,285.15 for landscape improvements in the City prior to the issuance of a building  
1977 permit. And I'll pause here.

1978 In response to comments made by the Board at the first hearing, this alternative  
1979 language on the screen before you, is being proposed for consideration.

1980 The applicant shall expend not less than \$45,285.15 for the  
1981 landscape/beautification improvements as part of the beautification of the Port of Palm  
1982 Beach gateway and bridge within twelve months of issuance of a Certificate of  
1983 Occupancy, in order to satisfy the landscaping requirement associated with this project.  
1984 Staff worked with the applicant on this amended language, and they are in agreeance with  
1985 it. So, if a Member of the Board would like to amend the language in the Ordinance to  
1986 reflect this for Item 7, this language has been presented for that purpose, if it's the desire  
1987 of the Board.



1988           Eight, the applicant shall consider partnering with the City as possible to identify  
1989 opportunities to provide outreach and support to local residents including, but not limited  
1990 to, programs such as the Youth Empowerment Program, the Reentry Center, or the  
1991 establishment of a charitable foundation. Next, the applicant shall actively advertise  
1992 employment opportunities for temporary and permanent positions within the City of  
1993 Riviera Beach including, participation at community job fairs or hosting specialized  
1994 recruitment events. The developer shall provide a report to the Development Services  
1995 Department at six months post-occupancy documenting the outreach efforts to acquire  
1996 local employees, the number of local employees hired, the number of local businesses  
1997 contracted with, subject to employment and privacy laws, and the percentage of  
1998 construction costs expended with local vendors.

1999           Florida Sunstar Logistics shall participate in efforts to enhance and beautify the  
2000 bridge and southern gateway to the City by working with the City and other partners to  
2001 provide a conceptual design for the beautification of the gateway and bridge to the City of  
2002 Riviera Beach. Florida Sunstar Logistics shall deliver the conceptual bridge and gateway  
2003 beautification design to the City prior to the issuance of a building permit. And the final  
2004 design of the mural on the dome structure shall be to the satisfaction of City Council and  
2005 installed prior to the issuance of Certificate of Occupancy.

2006           Staff recommends approval of this amendment to the Zoning Code of this District  
2007 to increase the height and allow this project, only limited to area itemized on the picture  
2008 earlier. And finally, Staff recommends approval of the Site Plan associated with this text  
2009 amendment.

2010           That includes the Staff's presentation. The applicant is present and available to  
2011 answer any questions that there may be.

2012   **Chairperson Lanier:**       Thank you. Are there any questions from the Board in regards  
2013 to this Item? [Pause]. Very good. Madam Clerk.

2014   **City Clerk Anthony:**       Councilperson McCoy?

2015   **Councilperson McCoy:**    Yes.

2016   **City Clerk Anthony:**       Councilperson Botel?

2017   **Councilperson Botel:**       Yes.

2018   **City Clerk Anthony:**       Councilperson Lawson?

2019   **Councilperson Lawson:**    Yes.

2020   **City Clerk Anthony:**       Pro Tem Miller-Anderson?

2021   **Chair Pro Tem Miller-Anderson:**    Yes.

2022   **City Clerk Anthony:**       Chair Lanier?

2023   **Chairperson Lanier:**       Yes.

2024 **15. City Clerk Anthony:** Madam Chair, Members of the Board, we are now on  
2025 to Item No. 15. Staff did request that this Item be heard after Item No. 10.

2026 **Chairperson Lanier:** Yes.

2027 **City Clerk Anthony:** **RESOLUTION NUMBER 47-21 A RESOLUTION OF THE**  
2028 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**  
2029 **FLORIDA, APPROVING AN APPLICATION (SP-21-01) FROM FLORIDA SUNSTAR**  
2030 **LOGISTICS, LLC., REQUESTING SITE PLAN AMENDMENT APPROVAL TO ALLOW**  
2031 **FOR THE CONSTRUCTION OF AN INDUSTRIAL CEMENT STORAGE TANK (A.K.A**  
2032 **DOMES) AS WELL AS AN ACCESSORY OFFICE AND EQUIPMENT BUILDING ON AN**  
2033 **APPROXIMATE 3.97 ACRE AREA OF THE PORT OF PALM BEACH, IDENTIFIED BY**  
2034 **PARCEL CONTROL NUMBER 56-43-42-33-29-000-0020; PROVIDING FOR**  
2035 **CONDITIONS OF APPROVAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

2036 **CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060**

2037 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have any  
2038 public comments on this Item. The acceptance of public comments on this Item is now  
2039 closed.

2040 **Chairperson Lanier:** Thank you. Can we get a motion to approve this Item?

2041 **Councilperson Botel:** Motion to...

2042 **Development Services Director Sirmons:** Madam Chair, may I?

2043 **Chairperson Lanier:** Yes.

2044 **Development Services Director Sirmons:** I, I would just ask that Council specify  
2045 whether they prefer rendering one or two, as well as the original for...

2046 **Chairperson Lanier:** For this past Item?

2047 **Development Services Director Sirmons:** For the current Site Plan.

2048 **Chairperson Lanier:** The current Item that's before us right now?

2049 **Development Services Director Sirmons:** Correct.

2050 **Chairperson Lanier:** Okay.

2051 **Councilperson Botel:** So, I move to approve this Item, and accept the  
2052 recommendation of Staff that we go with Option No. 2.

2053 **Chairperson Lanier:** Can we get a second?

2054 **Councilperson Lawson:** Second.

2055 **Chairperson Lanier:** Very good. Mr. Evans.

2056 **City Manager Evans:** Madam Chair and Members of the Board, if I can have the  
 2057 Director of Development Services, Mr. Clarence Sirmons, present this Item.

2058 **Development Services Director Sirmons:** Good evening again.

2059 And, there is nothing additional from the previous presentation.

2060 **Chairperson Lanier:** Alright. Very good. Any questions from the Board in regards  
 2061 this Item?

2062 **Councilperson McCoy:** So... Madam Chair?

2063 **Chairperson Lanier:** Yes. Go ahead, sir.

2064 **Councilperson McCoy:** So, Member Botel, the recommendation of the proposed  
 2065 language to the Site Plan... Mr. Sirmons, can you put that back up? To Section 2?

2066 **Development Services Director Sirmons:** Yes.

2067 **Councilperson McCoy:** No. 1. The condition that you referenced.

2068 **Development Services Director Sirmons:** Yes. One second. I, I believe the  
 2069 PowerPoint was minimized.

2070 **Councilperson McCoy:** And, while he's doing that, Madam, Madam Chair..., so, Board  
 2071 Member Botel, I was gonna see if you would be willing to accept the amendment that's  
 2072 being proposed, in lieu of the check payable, that the applicant would expend \$45,285 for  
 2073 landscaping and beautification instead of providing a check? To the City.

2074 **Chairperson Lanier:** Uh-uh.

2075 **Councilperson Botel:** I'm sorry. Could you state the modification you want again?

2076 **Councilperson McCoy:** There it is. Right there.

2077 **Councilperson Botel:** Uhuh. Oh. So, you're, you're saying that we, we need to say  
 2078 that that ultimate language is what's part of the...

2079 **Councilperson McCoy:** We need to amend the Resolution to include that language.  
 2080 That's what I'm asking.

2081 **Councilperson Botel:** Okay.

2082 **Councilperson McCoy:** Instead of accepting a check. Have the applicant to perform  
 2083 the landscape improvements at the Port, or at the entrance of the Port.

2084 **Councilperson Botel:** Okay. That, that's what [stammer]... Please note that that's  
 2085 what the motion is.

2086 **Councilperson McCoy:** So...

2087 **Chair Pro Tem Miller-Anderson:** Madam Chair?

2088 **Chairperson Lanier:** Yes. Go ahead.

2089 **Chair Pro Tem Miller-Anderson:** Can, can you put that back up for a minute, the  
2090 alternate language?

2091 **Chairperson Lanier:** Explain this to the audience, Mr. Sirmons.

2092 **Development Services Director Sirmons:** Yes, ma'am.

2093 So, in response to comments at the first hearing of this Item, Staff drafted this  
2094 language to state that the applicant would directly make the installation of the offsite  
2095 improvements in lieu of installing that landscaping for meeting those landscaping  
2096 requirements onsite because it, it's, it's pretty certain that they would not serve their  
2097 purpose, or the landscaping would not survive on the site, being that it's in the middle of  
2098 the Port industrial area. So, instead of them giving those funds directly to the City for  
2099 installation offsite, it would be installed by the applicants within twelve months of  
2100 Certificate of Occupancy for this project. They would be connected to the gateway bridge  
2101 or the flyover bridge of the Port.

2102 **Chairperson Lanier:** Why did we change it from the original language?

2103 **Development Services Director Sirmons:** So, currently the Resolution still  
2104 contains the original language. This alternative language is being presented in case it is  
2105 preferred over the original language. But, un'..., ;until the motion was made, the, the  
2106 material provided by Staff still read as they did at the...

2107 **Chairperson Lanier:** Right.

2108 **Development Services Director Sirmons:** ...first hearing.

2109 **Chairperson Lanier:** I., I, I hear your motion for amendment, Mr. McCoy, but I do  
2110 not agree with changing the original language that was a part of the agreement, and a  
2111 part of the presentation from the last time. I don't have any problem with the City providing  
2112 the landscape services.

2113 What I do have a problem with is, the language that you used the last time, in terms  
2114 of shakedown. That is, that is not acceptable to say any form in which we are trying to  
2115 do business with an entity. They are making good faith effort to say, listen, we're coming  
2116 to do business in your City and we want to be able to, you know, provide landscaping so  
2117 that, you know, where we are, what we're doing... We require landscaping for any  
2118 developer that comes to this City. For the most part. When they expanded the Solitron,  
2119 or the Public Storage in that area, we forced them to come back twice with additional  
2120 landscaping.

2121 If you feel differently from that, that is fine, but to say shakedown, that's  
2122 unacceptable. Because the City is not shaking down anyone to be able to do business.  
2123 Shakedown means that we have provided a threat to someone, to take money from them.  
2124 That is the definition of shakedown.

2125           So maybe you could've used a different terminology, maybe you could've said it  
2126 differently, but that particular language is unacceptable when we're trying to do business  
2127 with entities who are coming to the City. And it was offensive. I felt. Especially for the  
2128 entity and for myself to be accused of such a heinous act in doing business with the City.

2129           If you want to impose an amendment for that alternative language, of course you  
2130 can. You get a second, that's what it is. But I just wanted to be clear about the original  
2131 language that is there, I'm okay with it. I'm only one person. It comes up for a vote, that's  
2132 how we move forward.

2133 **Councilperson Lawson:** Madam Chair?

2134 **Councilperson Botel:** [Stammer]...

2135 **Chairperson Lanier:** Yes. Go ahead, Ms. Botel.

2136 **Councilperson Botel:** I, I have a question. What would the nature of the landscape  
2137 and beautification improvements be to the Port of Palm Beach gateway and the bridge?  
2138 I'm trying to picture what you could possibly do to the bridge to make it more beautiful.  
2139 Have you discussed that with the team, the development team?

2140 **Development Services Director Sirmons:** Yes, we have. And, this is related to  
2141 the latter condition of this Resolution in which the applicant has agreed to provide a  
2142 conceptual design of what that bridge can look like. As you know, at the base of the  
2143 bridge, as you are exiting the City of West Palm Beach heading north, there is a sign  
2144 stating, 'Welcome to the City of Riviera Beach.' That is an area that could use some  
2145 additional attention.

2146           But the bridge itself only has structural conditions in how it exists today. But there  
2147 could be aesthetic considerations in addition to that, such as the ornamentation on the  
2148 Blue Heron Bridge. The applicant is going to create a rendering, a conceptual design, of  
2149 what that bridge could look like. And they, with the funds for this condition, they will pay  
2150 or install the first \$45,000 worth of improvements on that bridge based on the design that  
2151 they will separately be developing for it.

2152 **Councilperson Botel:** Okay.

2153 **Chairperson Lanier:** Yes. Does that answer your question?

2154 **Councilperson Lawson:** Madam Chair?

2155 **Chairperson Lanier:** Yes. Councilman Lawson, you can go ahead, please.

2156 **Councilperson Lawson:** Thank you, Madam Chair.

2157           Mr. Sirmons, you said that the applicant would provide a rendering, if this is the  
2158 language that was selected, or is there a rendering available? Is this just an idea that  
2159 they're gonna present? Because right now, to change the language and to allow for them  
2160 to handle the operations without a rendering or an idea of what they're doing, I'd rather

2161 put it in the Staff's hands and Mr. Evans, with him giving us a proposed plan of what we're  
2162 gonna do with the landscaping.

2163 So, I don't really have an idea of what it would look like. That's my concern  
2164 currently, before changing the language.

2165 **Development Services Director Sirmons:** Correct.

2166 So again, this is Item 10, and they are required to provide that rendering to us  
2167 before they..., before they get their building permit for the site. So before it's under  
2168 construction, they would've provided that conceptual design. And, at that time, we can  
2169 return to Council to, to discuss the acceptability of it or if it needs to be revisited.

2170 **Councilperson Lawson:** The concern I have, Mr. Sirmons, is that we had to accept the  
2171 conceptual design for the mural of the building, prior to passing the Site Plan. So, I would  
2172 expect the same thing prior to removing the funds from the City and leaving it with the  
2173 applicant, I would wanna actually see a conceptual design to get an idea of what we'd be  
2174 voting on.

2175 So, as currently stated, I would actually like a plan and procedure of what we're  
2176 gonna do, what the landscaping is going to actually entail for beautification if we left the  
2177 language as is, currently seeded so that we can see that and make sure that we're moving  
2178 forward with a correct plan.

2179 But I would rather leave it in the hands of the City versus an idea that we don't  
2180 have any real influence and we just have to approve based upon what they provide a  
2181 rendering for, so we can give Staff more direction as to what we expect with that spending  
2182 for the landscaping. And, kind of give them an idea of, Mr. Evans, and what they need to  
2183 do.

2184 **Chairperson Lanier:** Very good. Dr. Botel?

2185 **Councilperson Botel:** Madam Chair?

2186 So, what I'm thinking, as I think about this, if we leave the language as it was, we  
2187 could set aside the..., I need the amount. Go to the next slide, would you, please? Sorry.  
2188 No. The one with the..., yeah. Thank you. If we have the \$45,285.15 in hand then, if we  
2189 wanted to do improvements on the bridge, the City could..., the Staff of the City, we could  
2190 decide what those improvements would be with that money. Or, if we wanted to use the  
2191 money for'..., in some other way in the City, we could make that decision.

2192 So, it do'..., it kinda does make sense to me now that I think about it, to leave that  
2193 money in the hands of Staff rather than allowing the developers to do it. And I, frankly,  
2194 don't think the developers care one way or the other [chuckle], as long as they get this  
2195 passed tonight.

2196 So, do we need to take a vote on whether or not we want the language changed?

2197 **Chairperson Lanier:** I, I, I don't..., I don't think so. I think that..., the presentation is  
2198 with the original language. That was just offered as alternative to the language.

2199 **City Clerk Anthony:** Madam Chair...

2200 **Chairperson Lanier:** Yes. Go ahead.

2201 **City Clerk Anthony:** ...Members of the Board, the motion that's currently on the  
 2202 floor was made by Councilperson Botel and seconded by Councilperson McCoy, and it  
 2203 was to select Option 2 as the pick for the picture...

2204 **Councilperson Botel:** Right.

2205 **City Clerk Anthony:** And Mr. Mc'..., and, at the time when the motion was made, it  
 2206 was..., the Resolution was as presented.

2207 **Councilperson Botel:** Right.

2208 **City Clerk Anthony:** However, and correct me if I'm wrong, Councilperson McCoy  
 2209 asked Ms. Botel to co'..., select the alternative language..., would she agree to?

2210 **Councilperson Botel:** Right.

2211 **City Clerk Anthony:** So, the motion that's currently on the floor, is for Option No.  
 2212 2, which is picture No. 2, as well as the alternate language. What you all will have to do  
 2213 now, is either do an amended motion, or vote the motion that's currently on the floor now  
 2214 and then offer a separate motion.

2215 **Chairperson Lanier:** Can...

2216 **Councilperson Botel:** Which could be...

2217 **Chairperson Lanier:** ...she revise...

2218 **Councilperson Botel:** Which could be... Madam Chair, I'm sorry.

2219 **Chairperson Lanier:** Go ahead.

2220 **Councilperson Botel:** Which could be very confusing. So, what I will do is exercise  
 2221 the right of any woman and change my mind, and say that I don't [chuckle] accept the  
 2222 amendment that Mr. McCoy proffered. And so, in order to make that right, I will..., can I,  
 2223 at this point, say that I don't accept Mr. McCoy's amendment?

2224 **Councilperson McCoy:** Madam, Madam Chair?

2225 **Chairperson Lanier:** Wait. Hold on...

2226 **Councilperson Botel:** [Inaudible]...

2227 **Chairperson Lanier:** ...a second.

2228 **Councilperson Botel:** ...answer first.

2229 **Chairperson Lanier:** Let's get this straight first.

2230 **Councilperson Botel:** I want an...

2231 **Chairperson Lanier:** Madam...

2232 **Councilperson Botel:** ...answer first.

2233 **Chairperson Lanier:** ...Madam Clerk.

2234 **City Clerk Anthony:** Okay. So, you now do not want to inclc'..., accept the alternate  
2235 language?

2236 **Councilperson Botel:** Yes. That's correct.

2237 **City Clerk Anthony:** You wanted the language...

2238 **Councilperson Botel:** The original language.

2239 **City Clerk Anthony:** Then, what I would suggest then, Ms. Wynn, correct me if I'm  
2240 wrong, is that you amend your motion to state that you want the original lang'...

2241 **Councilperson Botel:** Okay.

2242 **City Clerk Anthony:** ...language.

2243 **Councilperson Botel:** So, I amend my motion to state that I want the original  
2244 language. Option 2 for the design of the facil'..., of the facility, but with the original  
2245 language with regard to the beautification dollars.

2246 **Chairperson Lanier:** Second.

2247 **Councilperson McCoy:** Madam Chair?

2248 **Chairperson Lanier:** Yes. Go ahead, sir.

2249 **Councilperson McCoy:** So, if I can offer some context. I, I was looking to hear if there  
2250 was gonna be some direction by Mr. Sirmons, but specifically, what we were presented  
2251 with two weeks ago, which I believe was kinda premature, but it suggested that, as a  
2252 condition. And, I had some particular concerns with the word conditions because you can  
2253 not agree with it, but we can't accept money in lieu of fulfilling our Code requirements. If  
2254 that's what the Code requires, then we can't take money and then divert it elsewhere. So,  
2255 that's why I asked Legal if there was another option, and this is what the alternative  
2256 language came up with.

2257 So, it's not that I'm exactly in opposition of it, but I specifically, you know, asked  
2258 the question that.., it is.., it does give the appearance of...

2259 **Chairperson Lanier:** It does not. But go ahead...

2260 **Councilperson McCoy:** Can I...

2261 **Chairperson Lanier:** ...sir.



2262 **Councilperson McCoy:** ...finish? It does give the appearance that if the Code requires  
2263 landscaping, but we tell an applicant you don't need to provide landscaping, instead, give  
2264 us \$45,000 and we'll diver it elsewhere..., outside of the project, I, I believe that does give  
2265 the..., that appearance. And, you know, that is my opinion.

2266 And I did find exact language in the Code of Ethics that speak to it. So, I, you  
2267 know, I would very much caution you, Board Members, but that is prohibited.

2268 **Chairperson Lanier:** Thank you for comment, sir.

2269 And I have to disagree with you in terms of the appearance of. Number one, we  
2270 understand what the intent is of, of this agency..., of this organization coming to the City  
2271 to be able to do business with us. You ma'..., you feel that it's a condition, or that we are  
2272 taking money in lieu of something else, that is not the case here and I want to emphatically  
2273 state that that is not the case here.

2274 Now, we have a motion on the floor and we have a second. Are there any other  
2275 discussions in regards to this Item? [Pause]. Thank you. Madam Clerk.

2276 **City Clerk Anthony:** Councilperson Botel?

2277 **Councilperson Botel:** Yes.

2278 **City Clerk Anthony:** Councilperson Lawson?

2279 **Councilperson Lawson:** Yes.

2280 **City Clerk Anthony:** Councilperson McCoy?

2281 [Pause]

2282 **City Clerk Anthony:** Pro Tem Miller-Anderson?

2283 **Chair Pro Tem Miller-Anderson:** Yes.

2284 **City Clerk Anthony:** Chair Lanier?

2285 **Chairperson Lanier:** Yes.

2286 **11. City Clerk Anthony:** Madam Chair, Members of the Board, we are now on  
2287 to Item No. 11.

2288 **City Clerk Anthony:** **ORDINANCE NO. 4163 AN ORDINANCE OF THE**  
2289 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**  
2290 **FLORIDA, AMENDING CHAPTER 22 OF THE CITY'S CODE OF ORDINANCES**  
2291 **ENTITLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, "BUILDING**  
2292 **AND TECHNICAL CODES", SECTION 22-37—22-60 "RESERVED", BY ADOPTING**  
2293 **BY REFERENCE A NEW PROPERTY MAINTENANCE CODE ENTITLED "RIVIERA**  
2294 **BEACH PROPERTY MAINTENANCE CODE"; PROVIDING FOR CONFLICTS,**  
2295 **SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

2296

2297 **CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060**

2298 **City Clerk Anthony:** Madam Chair, Members of the Board, we do have a public  
2299 comment on this Item. The acceptance of public comment is now closed.

2300 **Chairperson Lanier:** Thank you. Can I have a motion to approve this Item?

2301 **Councilperson Botel:** So moved.

2302 **Chair Pro Tem Miller-Anderson:** Second.

2303 **Councilperson Lawson:** Second.

2304 **Chairperson Lanier:** Very good. Mr. Evans.

2305 **City Manager Evans:** Madam Chair and Members of the Board, I'd like for the  
2306 Director of Development Services, Mr. Clarence Sirmons, to make this presentation.

2307 **Development Services Director Sirmons:** Good evening again, Madam Chair,  
2308 Council, Mr. Mayor, Mr. Manager and Madam Attorney.

2309 There have been no significant changes in this since the first presentation, other  
2310 than a.., an update in the, the Property Maintenance Code document, with some items  
2311 on [stammer] Table of Contents, some minor edits that were made to it. Otherwise, there  
2312 are no changes from the first hearing.

2313 **Chairperson Lanier:** Thank you. Are there any questions in regards to this Item?  
2314 [Pause]. Very good. Madam Clerk.

2315 **City Clerk Anthony:** Mary Brabham.

2316 **Ms. M. Brabham:** Ms. Mary Brabham, Riviera Beach.

2317 Thank you, Mr. Sirmons, for bringing this City to the level of addressing the Code  
2318 Compliances that we need in this City. Resi'...

2319 **Chairperson Lanier:** [Chuckle]. We can hear you real loud and clear now, Ms.  
2320 Brabham. Go ahead.

2321 **Ms. M. Brabham:** The property maintenance is up to each municipality to maintain  
2322 their Codes. I have ridden around this City, along with another management team and  
2323 they asked Ms. Brabham, ride around this City and, and show me your City. And we did  
2324 this. And, we rode around, and the, and the properties was.., some of the properties was  
2325 totally in disarray. Trash, papers, cans, all in the yards and stuff. Who are we? What  
2326 are we? We don't look like our yards, so why should we maintain our properties in the  
2327 way that we look?

2328 So, this particular Code investment... I call it an investment, because it tells us  
2329 right here. If you read the backups.., and Ms. Brabham has the backup. And I'm gonna

2330 share something with, with the general public. Since the FDC does not contain a Property  
2331 Maintenance Code that's standard, it is up to each municipality to adopt their own  
2332 Property Maintenance Codes. Long overdue for the City of Riviera Beach.

2333 Our Code Enforces need every tool that they can get in their arsenal to address  
2334 the needs of the City of Riviera Beach. We are not going backward, we are moving  
2335 forward. And the way that we need, need to move forward is to not do business the way  
2336 that we used to do business. We have to set standards.

2337 We, we have to rise to the, to the occasion to meet where we live, and how we live  
2338 now, in this age of century. Because, COVID has devastated the global landscape.  
2339 Everything is different now. So, we must live and we must govern and we must build up  
2340 the way that we should build up now. This is all, all about, not just Riviera Beach, but just  
2341 all over the other municipalities and cities, that they are taking these [inaudible]...

2342 [Time]

2343 **Ms. M. Brabham:** Thank you.

2344 **Chairperson Lanier:** Thank you, Ms. Brabham. Thank you so much for your  
2345 comment.

2346 **Ms. M. Brabham:** Thank you.

2347 **Chairperson Lanier:** Wow.

2348 **Councilperson Botel:** That's a...

2349 **Chairperson Lanier:** That was a little... [Chuckle]. Thank you so much. Are there  
2350 any other questions in regards to this Item? Thank you, Ms. Brabham.

2351 Very good.

2352 **Councilperson McCoy:** Yes.

2353 **Chairperson Lanier:** Madam Clerk.

2354 **Councilperson McCoy:** Yes.

2355 **Chairperson Lanier:** Oh, you have one?

2356 **Councilperson McCoy:** Yes.

2357 **Chairperson Lanier:** Go ahead, sir.

2358 **Councilperson McCoy:** So, Mr. Sirmons, I'm curious as to the.., is the guide gonna be  
2359 changed administratively or does that then have to be done by us, as a Board?

2360 **Development Services Director Sirmons:** It would have to be done by the Board.  
2361 Just like with our Building Code for the City, every time it's updated, we have to bring it  
2362 to.., I'm sorry. Every time our.., the amendments to the Florida Building Code that we

2363 adopt locally, anytime we want to change or update them, we have to bring it to the Board.  
2364 And we would have to do the same with this document so it would move through our  
2365 system, just like the Florida Building Code.

2366 **Councilperson McCoy:** Okay. So, I guess in drafting it, I just see some minor technical  
2367 things that's within it. Obviously, I mean, not too far from the first page, but there are  
2368 some several instances within the guide that I think need some technical, or maybe even  
2369 punctuation and grammatical corrections. I mean, are we going to, I guess, fine tune that  
2370 or? I mean, what happens? There's fifty-eight pages. I mean, we're basically adopting  
2371 a fifty-eight page manual and that's why I asked the question, will it come back to us, or  
2372 is this something that can be done administratively? Because, you know, my..., I guess...,  
2373 and, and clarify. My understanding was that when we adopt this, we were adopting a  
2374 guide and not specifically adopting this guide. Is that...?

2375 **Development Services Director Sirmons:** The way we have constructed this Item,  
2376 is that the Ordinance that is approved, we'll add language to the City Code, stating that  
2377 we are adopting the Riviera Beach Property Maintenance Code. That Code is a separate  
2378 document from what will be Municode or in, in our Code language.

2379 But, I would defer to, I think Legal and the Clerk, to...

2380 **Councilperson McCoy:** Well...

2381 **Development Services Director Sirmons:** ...to that question, as to whether we  
2382 can update the associated manual after the Ordinance is adopted.

2383 **Chairperson Lanier:** Okay?

2384 **Councilperson McCoy:** Can someone answer that? Madam Chair?

2385 **Chairperson Lanier:** Mr. Sirmons didn't answer the question for you?

2386 **Councilperson McCoy:** No. He said he's gonna defer to Legal.

2387 **Chairperson Lanier:** Okay. Legal?

2388 **City Attorney Wynn:** Ms. Busby's on her way.

2389 **Chairperson Lanier:** Ms. Busby.

2390 **Assistant City Attorney Busby:** Good evening, Chair.

2391 **Chairperson Lanier:** Good evening.

2392 **Assistant City Attorney Busby:** Members of the Board, and Mayor.

2393 No. You are..., with this Ordinance, you are adopting that manual, and changes to  
2394 the manual can be made without it going before the City Council.

2395 **Councilperson McCoy:** Okay. That's exactly... I would prefer that because there are  
2396 some things that I think needs to be addressed administratively. Have we established a

2397 process on how that's done? Because, if this is not gonna be codified in Municode, I  
2398 mean, I don't want somebody to basically come in and say that they're property, in their  
2399 belief, is within the Property Maintenance Code and then the document can be changed  
2400 arbitrarily without, you know, it having any kind of review process. How is that gonna be  
2401 amended? If and when that happens?

2402 **Development Services Director Sirmons:** For the Property Maintenance Code,  
2403 there's a regular cycle of updates just like the Building Codes. So, we expect every  
2404 several years to bring it back before the Council to make any necessary updates...

2405 **Councilperson McCoy:** I'm speaking of the actual guide, the one...

2406 **Chairperson Lanier:** Mr... Councilman McCoy, could he please finish? Go ahead,  
2407 sir.

2408 **Development Services Director Sirmons:** But.., so, the actual guide, yes, we  
2409 intend to bring it back before this Board every several years as updates need to be made.  
2410 But, as was just advised, there are some minor, or technical, typos or anything like that,  
2411 that are observed, we would absolutely update those before this is published.

2412 And again, subsequent updates to the document would come back before the  
2413 Board, just as we did with the Chapter 1 of the Florida Building Code for our, our local  
2414 provisions.

2415 **Councilperson McCoy:** Follow up.

2416 **Chairperson Lanier:** Yes. Go ahead, sir.

2417 **Councilperson McCoy:** Okay. I'm not sure that was the same thing that she  
2418 explained. She said administratively it would be changed. I mean, to what extent are we  
2419 authorizing you, by approving the Order to administratively change the guide? And,  
2420 perhaps that's a Ms. Busby question.

2421 **Assistant City Attorney Busby:** Yeah. If I...

2422 **Chairperson Lanier:** Ms. Busby.

2423 **Assistant City Attorney Busby:** Thank you, Chair. If I can address your concern.

2424 So, it will not be administratively changed from the form that it's in now, unless it  
2425 goes to the City Council. And, most cities, it's pretty standard to go before, for updates  
2426 es, every three to six years. I don't think ours has been updated since 2004, if you could  
2427 correct me, Mr. Sirmons.

2428 **Councilperson McCoy:** Okay.

2429 **Chairperson Lanier:** Alright. Very good. Are there any other questions in regards  
2430 to this Item?

2431 **Councilperson Botel:** Yes, Madam Chair.

2432 **Chairperson Lanier:** Yes. Go ahead.

2433 **Councilperson Botel:** Section 108.1.5. Let me find it again, please. Just one  
 2434 minute. 108.1.5, refers to unsafe structures. First, let me ask, what are the remedies that  
 2435 we have as a City when we have an unsafe structure? Do we have the ability to go in  
 2436 and remove that structure? What's, what's the remedy when we find something like that?

2437 **Development Services Director Sirmons:** If I may? For this question, I would turn  
 2438 the floor over to our Building Official, Mr. Michael Grimm, to address that question.

2439 **Councilperson Botel:** Thank you.

2440 **Chairperson Lanier:** Mr... What's his name?

2441 **Development Services Director Sirmons:** Grimm.

2442 **Chairperson Lanier:** Graham?

2443 **Development Services Director Sirmons:** Grimm. G-R-I...

2444 **Chairperson Lanier:** Grimm. Welcome, Mr. Grimm. [Chuckle].

2445 **Building Official Grimm:** Thank you. My name is Michael Grimm. I'm the Building  
 2446 Official.

2447 Our, our current City Code does have a, a, a section for how to deal with unsafe  
 2448 structures. That's laid out very well. And we will continue to, to use that process.

2449 **Councilperson Botel:** But, what is the process?

2450 **Building Official Grimm:** Well, I have to go ahead and determine that it is unsafe.  
 2451 Similar to..., we just had a fire and if I agree with the City Engineer that it's in imminent  
 2452 danger, we, we get to eliminate using a lot of the, the safeguards but during normal unsafe  
 2453 structures, I have to give notice. And then there would a hearing to take it before the  
 2454 special magistrate and get an Order that I can abate an unsafe structure.

2455 **Councilperson Botel:** So, Section 1.8.1.5., 108.1.5, refers to dangerous structures  
 2456 on premises. And it refers to an portion of a building structure of pertinence that has been  
 2457 damaged by fire, earthquake, wind, flood deterioration, neglect, abandonment, vandalism  
 2458 or by any other cause to such an extent that it is likely to..., likely to, or partially, or  
 2459 completely, collapse or to become detached or dislodged.

2460 Does that have to be a structure that is a..., something in which one lives or could  
 2461 that be a fence?

2462 **Building Official Grimm:** It could be..., there, there's unsafe structures, and there's  
 2463 also unsafe equipment. So...

2464 **Councilperson Botel:** Okay.

2465 **Building Official Grimm:** ...a structure is not necessarily something that's lived in. It  
2466 could be something...

2467 **Councilperson Botel:** Okay.

2468 **Building Official Grimm:** ...different.

2469 **Councilperson Botel:** So, if a fence has fallen down and is perceived to be a  
2470 dangerous..., a danger to the community, it could be dealt with in the same way as you  
2471 just...

2472 **Building Official Grimm:** It...

2473 **Councilperson Botel:** ...referred to?

2474 **Building Official Grimm:** It could be. Yes.

2475 **Councilperson Botel:** Thank you.

2476 **Chairperson Lanier:** Thank you. Any other questions for the..., this Item before us?  
2477 [Pause]. Thank you. Madam Clerk.

2478 **City Clerk Anthony:** Councilperson Botel?

2479 **Councilperson Botel:** Yes.

2480 **City Clerk Anthony:** Councilperson Lawson?

2481 **Councilperson Lawson:** Yes.

2482 **City Clerk Anthony:** Councilperson McCoy?

2483 **Councilperson McCoy:** Yes.

2484 **City Clerk Anthony:** Pro Tem Miller-Anderson?

2485 **Chair Pro Tem Miller-Anderson:** Yes. [Pause]. Yes.

2486 **City Clerk Anthony:** Chair Lanier?

2487 **Chairperson Lanier:** Yes.

2488 **ORDINANCES ON FIRST READING**

2489 **12. City Clerk Anthony:** Madam Chair, Members of the Board, we're now down  
2490 to Item No. 12.

2491 **City Clerk Anthony:** **ORDINANCE NUMBER 4164 AN ORDINANCE OF THE**  
2492 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**  
2493 **FLORIDA, AMENDING CHAPTER 11, NUISANCES, BY CREATING A NEW ARTICLE**  
2494 **VII TO BE ENTITLED "CHRONIC NUISANCE PROPERTY" ESTABLISHING A**  
2495 **PROCEDURE TO ADDRESS PROPERTIES THAT CHRONICALLY OVER BURDEN**

2496 **THE POLICE DEPARTMENT AND CODE COMPLIANCE DIVISION WITH NUISANCE**  
2497 **ACTIVITIES; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING**  
2498 **FOR AN EFFECTIVE DATE.**

2499 **NATHAN OSGOOD, CHIEF OF POLICE, 561-841-4130**

2500 **City Clerk Anthony:** Madam Chair, Members of the Board, we do have a public  
2501 comment on this Item. The acceptance of public comments on this Item is now closed.

2502 **Chair Pro Tem Miller-Anderson:** So moved.

2503 **Chairperson Lanier:** Mo'... Go ahead. She said so moved. Second?

2504 **Councilperson Botel:** I'll second.

2505 **Chairperson Lanier:** Very good. Mr. Evans.

2506 **City Manager Evans:** Madam Chair and Members of the Board, at this time, I'd like  
2507 for our Police Chief, Nathan Osgood, to make this presentation, in collaboration with Ms.  
2508 Christy Goddeau and Director Clarence Simons.

2509 **Chairperson Lanier:** Madam Clerk, you said we had a public comment for this?

2510 **City Clerk Anthony:** Yes, Madam Chair.

2511 **Chairperson Lanier:** Okay. Go ahead with the public comment first.

2512 **City Clerk Anthony:** Mary Brabham.

2513 **Chair Pro Tem Miller-Anderson:** Madam Chair? Madam Chair?

2514 **Chairperson Lanier:** Yes. Go ahead.

2515 **Chair Pro Tem Miller-Anderson:** Typically, we let them do the presentation first,  
2516 and then...

2517 **Chairperson Lanier:** Okay. You wanna do that. That's fine. We can do it that way.

2518 **Chair Pro Tem Miller-Anderson:** Thank you.

2519 **Chairperson Lanier:** Yes. We'll wait until after the presentation, Ms. Brabham, and  
2520 then you can make your comments. Alright. Go ahead. You can come back up. Thank  
2521 you.

2522 Mr. Osgood, go ahead, please. Chief Osgood, I'm sorry.

2523 **Police Chief Osgood:** Thank you, Madam... Thank you, Madam Chair. Pro Tem,  
2524 Mayor, Council. I'm Chief Osgood, and I'm gonna..., we have Ms. Christy Goddeau here  
2525 and she's gonna go over chronic nuisance abatements. And I'm here for any questions  
2526 afterwards.



2527 **Chairperson Lanier:** Thank you. Are there any questions in regards to this Item?  
2528 Do you have a presentation? Or, are you just here for questions?

2529 **Ms. C. Goddeau:** Thank you, Madam Chair.

2530 I'm just here to speak about an overview of the process, if desired.

2531 **Chairperson Lanier:** Okay. You want to hear that, Board?

2532 **Councilperson Botel:** I want to hear in par'..., excuse, Madam Chair?

2533 **Chairperson Lanier:** Go ahead.

2534 **Councilperson Botel:** Thank you.

2535 I wanna here, in particular, the, the, the Resolution. What, what, what happens if  
2536 something is determined to be a chronic nuisance? What are our..., what does the Ci'...,  
2537 what is the City able to do?

2538 **Chairperson Lanier:** You wanna address that?

2539 **Ms. C. Goddeau:** Yes. Thank you..

2540 **Chairperson Lanier:** Go ahead.

2541 **Ms. C. Goddeau:** ...Madam Mayor.

2542 **Chairperson Lanier:** Yes.

2543 **Ms. C. Goddeau:** Christy Goddeau. I'm with Torcivia, Donlon, Goddeau & Rubin, an  
2544 outside law firm that represents the City. I've had the pleasure of working with the Chief  
2545 and his Staff on this Ordinance, along with Cheryl Bostic from Code Compliance because  
2546 this Chronic Nuisance Ordinance addresses two issues, chronic nuisance calls to the  
2547 Police Department in properties that have gone through the Code Enforcement process,  
2548 who have not brought their property into compliance after an Order by the special  
2549 magistrate.

2550 To answer Dr. Botel's question, what happens through this process is, if there is a  
2551 declaration that a property is a chronic nuisance and that declaration is upheld by the  
2552 special magistrate, if there's an appeal, what that triggers is, it allows the City to do  
2553 essentially two things. First, if there is a nuisance issue at the property that the City could  
2554 abate, through some type of environmental improvement on the property, the, the  
2555 magistrate can authorize the City to take that issue..., take, take care of that issue.

2556 It also triggers the City, the ability to go after the City's cost through the entire  
2557 process. And for the Police Department, that is really essential because the way we've  
2558 set this up is, if this is a property that's constantly calling for nuisance activity at the  
2559 property, and that nuisance activity is not abated, then future calls to the Police  
2560 Department for such nuisance activities, we can start assessing them for those additional  
2561 calls for nuisance activity.

2562 And, and that's sort of the hammer that this Ordinance has. And as Dr. Botel may  
2563 have recognized, a lot of cities have these types of Ordinance, but they don't really have  
2564 a hammer if there's not voluntary compliance. And so, what we've developed, working  
2565 with the Police Department, is to try to put something in place that if we don't get the  
2566 cooperation of the property owners, there is something there that we can go after.

2567 **Councilwoman Botel:** Thank you.

2568 **Chairperson Lanier:** Very good. Thank you.

2569 **Councilperson McCoy:** Question.

2570 **Chairperson Lanier:** Yes. Go ahead, sir.

2571 **Councilperson McCoy:** So..., thank you, Madam Chair.

2572 Ms. Goddeau, I was specifically concerned with a couple portions in here. And  
2573 perhaps you can help me.

2574 This provides that the formal Rules of Evidence shall not apply. And I've seen that  
2575 similar to several other Codes. I think Boca, West Palm and then..., now what we have  
2576 here. What rules would apply in a, in a hearing that a person is brought before in Section  
2577 2-334? What are the actual rules?

2578 **Ms. C. Goddeau:** Okay. Madam Chair, if I may?

2579 **Chairperson Lanier:** Yes. Go ahead.

2580 **Ms. C. Goddeau:** Mr. McCoy, that's a great question. And, we've set this up, like many  
2581 other cities as you recognized have done so, to set it up as a quasi-judicial hearing that  
2582 goes before the special magistrate. Just like Code Compliance, it's no formal Rules of  
2583 Evidence. It's informal Rules of Evidence. But what the special magistrate, and what the  
2584 City has to ensure is that each property owner receives the due process.

2585 And what that requires is notice of the issue. In this case, the chronic nuisance,  
2586 and an opportunity for them to challenge those notices, and to challenge what services  
2587 the City is seeking to impose to abate the chronic nuisance. And, the rules for the  
2588 magistrate hearing are set forth in the Ordinance to ensure that due process is afforded  
2589 to every property owner, just like what is done through the Code En'., Compliance  
2590 process, and through the other process that the Police Department uses for nuisance  
2591 abatement, typically for drug offenses.

2592 **Councilperson McCoy:** Follow up.

2593 **Chairperson Lanier:** Yes. Go ahead, sir.

2594 **Councilperson McCoy:** So, this Ordinance, along with the next Ordinance, I, I guess I  
2595 seen some, some items that were different in that one Ordinance provided for a  
2596 constructive service [chuckle]. And, the definition of constructive service was really  
2597 unusual. I think it said something in, not this Ordinance, but the next Ordinance, that was

2598 really unusual, that I've never seen. And I wanted to understand, why is there a difference  
2599 in the two processes, as far as there is a requirement of certified mail, but then, if I can  
2600 just jump to it... But it just doesn't seem consistent across the two different Ordinance.

2601 But.., I need to jump right back to it. But, it gave something really innocuous , like,  
2602 you could.., if a person missed the fifteen days of collecting it, you can then... Well, you  
2603 said if the person is believed to have known that there is a chronic violation. And I'm  
2604 saying to myself, there is genuinely an opportunity for a person not to receive a notice.  
2605 And I said this to the Manager today. So often we get these calls that there's a lien on  
2606 my property that I had no idea. And, when they go back and they look at the records,  
2607 there is no, for whatever reason, record that this was actually provided to them certified  
2608 mail.

2609 Now, what I don't wanna do is continue to go down that road of making it easier  
2610 for somebody to say, 'Well, they should have known and, under the Code, that constitutes  
2611 constructive service.' That, I thought was the most.., I mean, that's definitely a deprivation  
2612 of a person's right when the title starts off by saying that we would like to provide due  
2613 process.

2614 So, I don't understand that. And then there's no actual set forth timeframe. So,  
2615 are you able to respond to that?

2616 **Ms. C. Goddeau:** Yes. Madam Chair...

2617 **Chairperson Lanier:** Yes. Go ahead.

2618 **Ms. C. Goddeau:** ...can I respond?

2619 Mr. McCoy, the, the process in the Chronic Nuisance Ordinance before you now  
2620 is very similar to the process set forth for Code Incompliance, in terms of notice. What  
2621 happens is, we utilize the Property Appraiser's office, or the Tax Collector's office, the  
2622 mailing address that's listed on their website for the property owner.

2623 If the property owner does not update that address, then you're absolutely right,  
2624 the certified mailing and the regular mail that we do, 'cause we do them both, may go to  
2625 the property, or another property that the property owner listed with the Property  
2626 Appraiser. If they don't update that address, you're absolutely right, those notices may  
2627 not be received by the property owner.

2628 In addition to that, if certified mail is not claimed, what this Ordinance requires, and  
2629 what is required in our Code Compliance is what you're mentioning of constructive  
2630 service, and that is where we actually post the notices at the property. So, the only way  
2631 the property owner is not getting these notices, is if they have the wrong address with the  
2632 Property Appraisers and the Tax Collectors, or if they're not going to their property, or  
2633 whoever is at their property is not providing the notices that are posted.

2634 And, I can guarantee you, that through Code Compliance and through Chronic  
2635 Nuisance, there are at least two official notices that go out, both through certified mail and

2636 regular mail. And that then get posted at the property. Those notices are also  
2637 accompanied by other notices through the process.

2638 In Chronic Nuisance, the best way to do this, is to send out a warning letter. If a  
2639 property is getting close to being a chronic nuisance, you wanna put that property owner,  
2640 right away, and warn them you're about to become a Chronic Nuisance property. Just  
2641 like we do in Code Compliance, we do notices of noncompliance, where the inspectors  
2642 do inspections on a regular basis and send a Notice of Noncompliance. Those notices  
2643 are in addition to the official notices. They're all provided through certified mail, regular  
2644 mail, and then if not claimed, through posting.

2645 So yes, there is an opportunity that a property owner may not get notice because  
2646 they don't have their right notice with the Property Appraiser's office, or they don't go to  
2647 their property. But we make every effort through this Ordinance, the existing Code  
2648 Compliance process, and the proposed Code Compliance Ordinance, to make sure that  
2649 they get notice.

2650 **Chairperson Lanier:** Thank you for that response.

2651 **Councilperson McCoy:** Can I ask one other question?

2652 **Chairperson Lanier:** Yes. Go ahead, sir.

2653 **Councilperson McCoy:** So, I found the specific section. And this is what concerns me.  
2654 It says the lack of knowledge or acquiescence to participation in, or responsibility for a  
2655 nuisance activity on the part of the responsible party, should not be a defense to any  
2656 enforcement of this Article.

2657 But then, as I mentioned, it also starts off by saying, fundamental due process shall  
2658 be observed and shall govern these proceedings. And I would think, just saying, if a  
2659 person should've known and because they don't know, they're still responsible, goes  
2660 against the very fundamental principle of due process.

2661 And to that point, you know, I can't support this for that reason. And, the other  
2662 reason that I think I'm gonna share with you at this point was, this, and the next Ordinance,  
2663 basically fast tracks and reduce the second hearing requirement that, again, goes against  
2664 the fundamental requirement of due process.

2665 So, if, at all possible, I wanna exhaust every option before we declare or make a  
2666 declaration that somebody's property is a chronic nuisance or we begin to assess a fine  
2667 or a, or, or liens for that matter, by the special magistrate. I just really have seen too  
2668 much of a process, in the City of Riviera Beach, where there has not been substantiation  
2669 that we have, that we actually made a, you know, a legal effort to give them certified  
2670 notice.

2671 So, for that reason, I can't support this in this form.

2672 **Chairperson Lanier:** Thank you, sir, for your comments.

2673 Councilwoman Botel, you had a comment?

2674 **Councilperson Botel:** It was very small. I can..., it, it's really not important. I, I'm  
2675 looking at Section 11-234, lien of police assessments. And, I just don't understand what  
2676 it means when you say a perfected lien.

2677 **Ms. C. Goddeau:** What that... If I may, Madam Chair?

2678 **Chairperson Lanier:** Yes. Go ahead.

2679 **Ms. C. Goddeau:** What that means in the Ordinance is, the first step is to lien the  
2680 property. And you would lien the property for your costs. That means recording in the  
2681 official records you have a lien, and that's the perfected [inaudible]...

2682 **Councilperson Botel:** Okay. Thank you.

2683 **Ms. C. Goddeau:** You're welcome.

2684 **Chairperson Lanier:** Thank you. Any other questions in regards to this comment?  
2685 Or, this Item that's before us? [Pause]. Hearing none. Madam Clerk.

2686 **City Clerk Anthony:** Mary Brabham.

2687 **Ms. M. Brabham:** Thank you, Ms. Christy. We finally, as homeowners in this City, and  
2688 property owners, we are..., we, we have some help on the way.

2689 To the general public, this process is used by other cities to enhance the processes  
2690 and as another tool to encourage good property ownership. This is what has happened.  
2691 When we say you don't get this and you keep giving chance after chance after chance,  
2692 and these peoples do not rise to the occasion.

2693 And, and not only that, but this is not limited to alcohol, noise, dogs, discharging  
2694 firearms, prostitution, resisting arrest, house parties, [stammer] controlled substance, and  
2695 other felony violations. All of this here is what we endure in our communities. And it is  
2696 about time.

2697 Thank you. Thank you, Staff. Thank, thank, thank, thank you that are onboard  
2698 here, to bring us to where we need to be in addressing these critical elements that we...,  
2699 that, that, that we property owners have. I, I'm not saying that you just come in here just  
2700 to live overnight. And, and then go and stary somewhere else.

2701 But we endure all of this, residents, what I just read. In our communities. Parties,  
2702 all night. Dogs and stuff. All day. Or not on their leashes and stuff. We don't see that in  
2703 other neighborhoods. So, so, so, so this is good. And I'm hoping that the Board gets  
2704 onboard, and bringing our Code stipulations to where we need to be.

2705 It, it, it, it's, it's an elimination that would help, not just we as residents, but our  
2706 governing Board too. See, and Ms. Brabham never decided to get up in..., on..., in one of  
2707 those seats there, and I can take either one of them. 'Cause I move all over this City  
2708 here, in order to make this City..., and bring this City where it needs to be. Because it is  
2709 about time. We are long overdue.

2710 Thank you, Staff. Ms. Brabham says thank you. I see residents shaking their head  
2711 too. Thank you. Because we have endured this. For you that don't live here, or, or  
2712 maybe don't have no full investment here, quite natural you wouldn't want these things to  
2713 happen. Because, maybe you got somebody that are doing these things here too. But,  
2714 for us all to be better, we can all be in unity in achieving. You can have your house  
2715 parties, you can have your dogs, but maintain them.

2716 Thank you.

2717 **Chairperson Lanier:** Thank you, Ms. Brabham.

2718 Are there any other questions in regards to this Item? [Pause]. Madam Clerk.

2719 **City Clerk Anthony:** Councilperson Lawson?

2720 **Councilperson Lawson:** Yes.

2721 **City Clerk Anthony:** Councilperson McCoy?

2722 **Councilperson McCoy:** No.

2723 **City Clerk Anthony:** Councilperson Botel?

2724 **Councilperson Botel:** Yes.

2725 **City Clerk Anthony:** Pro Tem Miller-Anderson?

2726 **Chair Pro Tem Miller-Anderson:** Yes.

2727 **City Clerk Anthony:** Chair Lanier?

2728 **Chairperson Lanier:** Yes.

2729 **Councilperson Botel:** Ma'...

2730 **City Clerk Anthony:** Madam Chair?

2731 **Councilperson Botel:** Go ahead.

2732 **City Clerk Anthony:** Go...

2733 **Chairperson Lanier:** Yes. Go...

2734 **Councilperson Botel:** Madam Chair?

2735 I just wanna make one comment before we move on because I wouldn't want  
2736 Attorney Goddeau to leave before I say this. I wanted to thank her for the good work she  
2737 did today on more than one occasion, in, in supporting us and helping us. Bravo, brava  
2738 to you, my dear. It was a wonderful day.

2739 Thank you.

2740 **Chairperson Lanier:** Thank you.

2741 **13. City Clerk Anthony:** Madam Chair, Members of the Board, we're now onto  
2742 Item No. 13.

2743 **City Clerk Anthony:** **ORDINANCE NUMBER 4172 AN ORDINANCE OF THE**  
2744 **CITY COUNCIL OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY,**  
2745 **FLORIDA, REPEALING CHAPTER 2, "ADMINISTRATION", ARTICLE IV, "CODE**  
2746 **ENFORCEMENT", DIVISION 2, "CODE ENFORCEMENT BOARD AND SPECIAL**  
2747 **MAGISTRATE"; CREATING CHAPTER 2, "ADMINISTRATION", ARTICLE IV, "CODE**  
2748 **ENFORCEMENT", DIVISION 2, "CODE COMPLIANCE"; PROVIDING FOR**  
2749 **SEVERABILITY, CONFLICTS, CODIFICATION AND AN PROVIDING FOR AN**  
2750 **EFFECTIVE DATE.**

2751 **CLARENCE SIRMONS, DEVELOPMENT SERVICES DIRECTOR, 561-845-4060**

2752 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have public  
2753 comment on this Item. The acceptance of public comment on this Item is now closed.

2754 **Chair Pro Tem Miller-Anderson:** So moved.

2755 **Chairperson Lanier:** Thank you.

2756 Can I get amotion to approve this Item?

2757 **Councilperson Botel:** So moved.

2758 **Councilperson McCoy:** Second.

2759 **Chair Pro Tem Miller-Anderson:** Second.

2760 **Chairperson Lanier:** Very good. Mr., Mr. Evans.

2761 **City Manager Evans:** Madam Chair, Members of the Board, I'd like to have the  
2762 Director of Development Services, Mr. Clarence Sirmons, make this presentation.

2763 **Development Services Director Sirmons:** Thank you, Mr. Manager. Good  
2764 evening again, Madam Chair and Members of the Council, Mr. Mayor, Madam Attorney.

2765 This Ordinance before you today, on first reading, is the third and final of the three  
2766 Items that were presented two Council meetings ago related to the Clean and Lien  
2767 initiatives that are aimed at giving the City additional tools to address problem properties.

2768 This particular Ordinance to essentially repeal and replace the Code Compliance  
2769 section of the City Ordinances has been discussed for quite some time. It was, initially  
2770 back in 2016, that Council first acknowledged and made..., took action to address the code  
2771 Compliance process, and the fact that it, it needed some adjustment, and needed to be  
2772 improved.

2773 As far back as 2017, we began working on this repeal and replacement Ordinance  
2774 with Ms. Goddeau, who you just heard from, in addressing the deficiencies and the, the  
2775 outdated practices that are built into our current Ordinances. In, most recently, January  
2776 of 2020, the City hosted a workshop at the Lindsay Davis Center where this, among other

2777 items, was discussed and feedback was provided to Staff and our legal consultants as to  
2778 what you desired to see in this Ordinance.

2779 But essentially, it streamlines the process that allows Staff to be more efficient in  
2780 its process of gaining compliance for properties that violate our, our City.., or, property  
2781 standards, and now our Property Maintenance Code. So, this would modernize the  
2782 process, remove unnecessary steps, and allow Staff to be more efficient.

2783 And again, I would like to reintroduce Ms. Christy Goddeau, who has been  
2784 instrumental in developing this Ordinance, with feedback from Staff, a lot of versions and  
2785 iterations of this, and also, taking into account, the feedback provided from this Board  
2786 previously, and we're proud to present what we've come up with today.

2787 Ms. Goddeau.

2788 **Chairperson Lanier:** Thank you.

2789 You have a presentation for us?

2790 **Ms. C. Goddeau:** Thank you. Yes. We do have a presentation.

2791 **Chairperson Lanier:** Okay.

2792 **Ms. C. Goddeau:** Is there a, a clicker? I'll grab that.

2793 [Pause]

2794 **Councilperson Botel:** It's in the backup.

2795 **Chairperson Lanier:** We're having some technical difficulties?

2796 **Ms. C. Goddeau:** It looks like it, Madam Chair.

2797 **Chairperson Lanier:** Yes. You can go ahead...

2798 **Ms. C. Goddeau:** Madam Chair...

2799 **Chairperson Lanier:** ...and get started.

2800 **Ms. C. Goddeau:** If, if I.., if I may go ahead and get...

2801 **Chairperson Lanier:** Yes.

2802 **Ms. C. Goddeau:** ....started...

2803 **Chairperson Lanier:** Please.

2804 **Ms. C. Goddeau:** ...while they're working through the technical difficulties.

2805 As Mr. Simons mentioned, my name is Christy Goddeau. Thank you for having  
2806 me here tonight to talk about this amended process.



2807           As Mr. Sirmons said, the proposed Ordinance is to streamline some of the  
2808 processes in Code Compliance, to make it more efficient. What I do wanna point out at  
2809 the outset is, what this amended process is not changing. What this amended process  
2810 is not changing is that Code Compliance will continue to work closely with property owners  
2811 to encourage voluntary compliance. That's not changing, and that's never gonna change.  
2812 In fact, the name now has been changed to Code Compliance. And that's an attempt to  
2813 get folks to come into voluntary compliance.

2814           Furthermore, as Mr. McCoy mentioned, it's not gonna change the notice process.  
2815 Code Compliance will continue to send out multiple notices to try to reach property owners  
2816 so that they are aware of violations on their property. As Mr. McCoy pointed out,  
2817 sometimes that notice cannot reach the property owners for a variety of reasons, but  
2818 Code Staff will continue to try to reach them all.

2819           This new process also is enhanced by the Property Maintenance Code that you  
2820 just adopted, that will also allow clarity to this process so property owners have a better  
2821 understanding of what their Code violations are.

2822           And finally, Code Staff, as you know, works closely with all property owners, that  
2823 if they need more time to correct their violations, extension are granted on a different  
2824 timeframes that are provided for voluntary compliance. That's not changing.

2825           What is changing from your current process to the new process, is really towards  
2826 the end of the process. So, if we go through the regular process, right now, under your  
2827 Code, the initial process is a Code Inspector finds a violation at your property. He or she  
2828 sends you a Notice of Violation to tell you what those violations are. You are then given  
2829 a reasonable time to bring your property into compliance and, if you do not, the next notice  
2830 you receive is a Notice of Noncompliance. And then a Notice of Hearing to go before the  
2831 special magistrate.

2832           The special magistrate then determines at the first hearing, whether or not you're  
2833 in violation. And then the magistrate, if they find a violation, sets the fine amount. You're  
2834 given a time by the magistrate to bring the property in compliance and, if you fail to do  
2835 that, the fine then begins to accrue.

2836           Under your current process, then the City has to bring the case back for a second  
2837 hearing to impose a lien. And, this hearing will then address the fine amount and, if the  
2838 fine continues to accrue and ultimately the lien's imposed, when a lien is imposed under  
2839 your current process, the lien is under the jurisdiction of the City Council, whether or not  
2840 that lien gets reduced.

2841           What the proposed process is really changing, is everything that happens after the  
2842 special magistrate finds the property owner in violation, sets the fine amount and gives  
2843 them a time to bring it into compliance. So, what changes now is, the Order that the  
2844 special magistrate will enter will tell the property owner, from the date of this Order, you  
2845 have twenty days to request a hearing to contest the fine amount.

2846           Now, this process was not made up by the City of Riviera Beach, it wasn't made  
2847 up by other cities that use the same process. In fact, this process was a process that an

2848 appellate judge recommended in a case dealing with Code Enforcement, where the judge  
2849 said, 'I think a better process, instead of having a second hearing, would be to afford the  
2850 property owner the opportunity to request a second hearing and contest the fine amount.  
2851 If you offer them that opportunity and they don't take advantage of it, you've provided  
2852 them due process and you can go forward with imposing the lien.' So what you're seeing  
2853 in the world of Code Compliance, is where cities are picking up on what that appellate  
2854 judge said and saying, 'Hey, let's amend our process. Once the magistrate finds you in  
2855 violation, you've got twenty days to contest the fine amount that the magistrate set. If you  
2856 don't contest it, that's the fine amount going forward. If you don't bring the property in  
2857 compliance within the timeframe the magistrate gave you, this will convert to a lien.'

2858 So, what's important in changing this process is, to also lay out a very scripted  
2859 process for how you address liens. What your Code of Ordinance currently does have is  
2860 a process for lien reductions. We've been taking fine reductions before the magistrate,  
2861 and every now and then, the City Council has heard a lien settlement agreement, but  
2862 what's not laid out in your current Code, is a lien process that allows for a property owner  
2863 to bring their property into compliance and to get that lien reduced.

2864 So, I see that the presentation is up, so I'm gonna skip forward to the amendments  
2865 to this process. And these are the key amendments.

2866 The notices are not changing. However, this gives the City an option to do a joint  
2867 Notice of Violation, Notice of Hearing and that's sometimes crucial and a life safety issue,  
2868 where you wanna get the case before a special magistrate quickly. So this Code revision  
2869 gives you that opportunity. This also codifies a stipulation process where, if a property  
2870 owner agrees their property's in violation but just needs more time to bring it into  
2871 compliance, they can enter a stipulation. They don't have to come to the hearing, but  
2872 they will have the time to bring it into compliance [inaudible] which they will agree to a fine  
2873 amount.

2874 This also addresses that fine contest hearing that I mentioned. That was  
2875 developed by the appellate judge, to allow a property owner to context the fine amount  
2876 set by a magistrate. This also codifies your administrative fee process, where you assess  
2877 administrative fees only in the event there's a repeat violation.

2878 The big change is to set forth in this new Code process, a lien reduction process.  
2879 And this gives a jurisdiction..., the magistrate, the jurisdiction over all Code Enforcement  
2880 liens. It's a scripted process. And I don't wanna get into too much detail because I have  
2881 a slide that sort of lays out a straightforward couple examples to understand how this  
2882 works. But the goal of this is, is to make liens the amount of the lien really more  
2883 manageable. And it should be based on your property value.

2884 So this caps liens. So, if you have a Code Enforcement lien that's been out there  
2885 for years, it will cap the lien amount so it's more equitable to your actual property value.

2886 This is in a lien reduction scenario. So, it also talks about allowing a property  
2887 owner to discount a lien amount based on the expenses they incur of bringing the property  
2888 into compliance. It then allows the magistrate to reduce the property, based on a

2889 percentage. And the percentages are different. And we did this to address homestead  
2890 properties, to allow for a greater reduction in a lien amount versus non-homesteaded  
2891 properties.

2892 This Ordinance also lays out what's required to get a lien reduction. And the key,  
2893 number one factor, I don't care what city you go to, or whether you go to the county, to  
2894 get a lien reduction, your property has to be in compliance. This codifies some other  
2895 requirements. This also gives the City Council the ability to issue an amnesty program.  
2896 Where, if you wanted to, you could lower those percentages in this Ordinance by  
2897 Resolution, to try to encourage property owners to fix their properties and then ask for a  
2898 lien reduction, and ultimately, get the liens removed.

2899 So, what I mentioned was, is to understand this scripted lien reduction process.  
2900 It's really to make lien reductions more equitable and more fair, and give notice to folks  
2901 that this what you can anticipate. If you have a big lien on your property, or even a small  
2902 lien, what you're facing. The example on the screen is for a homestead property. And if  
2903 they had a lien that accrued to \$250,000. Now, let me say this. If you've a lien that  
2904 accrued to that much on a homestead property, this lien has been around for a while.

2905 But, as you can see, going through the scripted process, the lien amount is capped  
2906 based on the fair market value of the property. If the property owner incurred expenses  
2907 to bring the property in compliance, those are taken off after the cap lien amount. And  
2908 the, ultimately, the lien is reduced by the percentage based on whether, in this case, it's  
2909 a homestead property, reduced by the percentage. And then the example, for a non-  
2910 homesteaded pr property, there's a larger percentage of the reduction.

2911 So this is how you can take a \$250,009 lien, Code Enforcement lien, once the  
2912 property's in compliance, to bring it down to a much more easier, payable lien amount,  
2913 to remove that lien off the property.

2914 The new process also allows a scripted and codified process for your partial  
2915 releases of liens. These are in cases where, as you know, a Code Enforcement lien is  
2916 an umbrella lien. And it attaches to all property you own. Sometimes you need a partial  
2917 release of lien to sell off one property or another. There will now be a codified process  
2918 for the partial releases of liens.

2919 And finally, and perhaps most important to this amended Code Enforcement  
2920 process, is to set up a property improvement account. My understanding is this account  
2921 has already been set up. And what it's geared to do, is to take a percentage, five percent,  
2922 of the amounts that are paid to Code Compliance for their efforts, and to put those monies  
2923 in a separate account so Code Compliance, working with Mr. Sirmons and his Staff, can  
2924 come up with different plans of how to address hardship cases. Because, in Code  
2925 Compliance, we often see case where someone's on a fixed income, they're a senior,  
2926 they may have a disability or other hardship issues, where they just need some financial  
2927 assistance to bring their property in compliance.

2928           So, this would allow for those programs to be set up and for Code Compliance  
2929 Staff, and Mr. Sirmons ' Staff, to develop these programs to allow for those hardship  
2930 cases to be addressed.

2931           That is an over of the proposed amendments. If there's any questions, I'll be happy  
2932 to answer them.

2933 **Chairperson Lanier:**       Thank you so much for that presentation. That was very  
2934 thorough.

2935 **Ms. C. Goddeau:** Thank you.

2936 **Chairperson Lanier:**       Are there any questions for, for this presentation? For...

2937 **Councilperson Botel:**     Ma'...

2938 **Chairperson Lanier:**       ...this Item?

2939 **Councilperson Botel:**     Madam Chair? Just a comment.

2940 **Chairperson Lanier:**       Yes. Go ahead.

2941 **Councilperson Botel:**     I, I support this completely. My, my only concern, and it has  
2942 been a concern for quite some time, is that Code.., Code Enforcement be very equitable  
2943 in terms of their decision making. You know? I hear from people on a regular basis,  
2944 'Well, my yard looked like this. My neighbor.., neighbor's yard looked worse. How come  
2945 I'm the one who got the fine?' So, I just wanna be sure that, going forward, we are very,  
2946 very cons'.., very, very sure that our Code Enforcement folks are being, you know,  
2947 equitable.

2948 **Chairperson Lanier:**       Thank you.

2949 **Councilperson McCoy:**     Madam Chair?

2950 **Chairperson Lanier:**       Yes. Go ahead, sir.

2951 **Councilperson McCoy:**     Thank you.

2952           Ms. Goddeau, thank you for the presentation.

2953           I, I guess I wanted to go back to discuss, I guess,, you kinda talked about it but the  
2954 removal of the next hearing. That second hearing would've been only to challenge the  
2955 actual fine. Correct?

2956 **Ms. C. Goddeau:** Under your existing process or the proposed amendment?

2957 **Councilperson McCoy:** Under the existing proc'.., I mean, I'm sorry, under what's  
2958 being proposed now, today.

2959 **Ms. C. Goddeau:** Well, what's being proposed today, the second hearing now  
2960 becomes optional if the property owner requests it.

2961 **Councilperson McCoy:** Okay. And, prior to that, if a person came in to the second  
2962 hearing, they could challenge the very nature of the violation?

2963 **Ms. C. Goddeau:** No.

2964 **Councilperson McCoy:** So, after, for whatever reason, if a violator doesn't participate  
2965 in the first hearing, there's no avenue to challenge...

2966 **Ms. C. Goddeau:** If I may, Madam...

2967 **Chairperson Lanier:** Yes. Go...

2968 **Ms. C. Goddeau:** ...Chair?

2969 **Chairperson Lanier:** ...ahead.

2970 **Ms. C. Goddeau:** So, under both processes, when the first Order is entered by the  
2971 special magistrate, finding the violation, setting the fine amount and giving a date for  
2972 compliance, that Order can absolutely be challenged by appeal to the Circuit Court.  
2973 And...

2974 **Councilperson McCoy:** But only for the fine.

2975 **Ms. C. Goddeau:** ...that's set..., that's...

2976 **Chairperson Lanier:** [Stammer]...

2977 **Ms. C. Goddeau:** ...that's set for...

2978 **Chairperson Lanier:** Let, let her finish.

2979 **Ms. C. Goddeau:** ...in Chapter 162, Florida statutes.

2980 **Councilperson McCoy:** But that's only for the fine. Correct?

2981 **Ms. C. Goddeau:** They can challenge everything in that Order, that's entered by  
2982 special magistrate. What the current process requires of the City, is that if we want to  
2983 impose a lien, we have to take you before a second hearing before the special magistrate.  
2984 Now at that hearing, the property owner can challenge the fine amount that was originally  
2985 set by the special magistrate, and then the special magistrate would rule on the fine  
2986 amount and impose the lien.

2987 What this new process does, is it takes that second hearing burden off of the City  
2988 and puts the burden on the property owner, for the property owner, within twenty days, to  
2989 request that hearing. And that is the process I addressed, that the appellate judge came  
2990 up that ensures that the property owner is given their due process before a lien is  
2991 imposed.

2992 And I can tell you from practice at other cities and for Palm Beach County, most  
2993 property owners don't request that second hearing because the fine amount is set by the  
2994 special magistrate at the original hearing. And what the special magistrate considers, is

2995 what the property owner's done to bring the property into compliance, the past history  
2996 that the property owner may have of Code violations, and the nature of those Code  
2997 violations. That really is the basis for the fine amount that's set by the special magistrate.

2998 And if the property owner does nothing to fix the property, then more than likely,  
2999 the special magistrate is gonna keep the same fine amount. But it shifts that burden to  
3000 the property owner, that if they wanna exercise their due process, they absolutely can,  
3001 and they can request that hearing, and within twenty days they can say, 'I want this  
3002 hearing.' And then, we will have to go back before the special magistrate to hear their  
3003 contest to the fine amount.

3004 **Councilperson McCoy:** Okay. Well..., I... Madam Chair, follow up.

3005 **Chairperson Lanier:** Yes. Go ahead.

3006 **Councilperson McCoy:** So, I mean, you said a whole lot. And that's exactly what I  
3007 asked you, so you gave me a whole scenario and I...

3008 **Ms. C. Goddeau:** [Chuckle].

3009 **Councilperson McCoy:** ...appreciate you being thorough. But, I, I guess I was trying  
3010 to arrive at that there is no second bite at the apple if a violator, for whatever reason, does  
3011 not attend the first hearing. And I understand that. So, the only thing at the second  
3012 hearing would be if they request it within the twenty days, would be to challenge the fine.

3013 But this is the part of that section that I'm not exactly sure I agree with, but it says,  
3014 and this is..., I'm sure you probably are familiar with it, the special magistrate may  
3015 authorize the City Attorney or designee to foreclose on the lien, or to sue to recover a  
3016 money judgment for the amount of the lien plus accrued interest. Is that new language?

3017 **Ms. C. Goddeau:** That language actually tracks Chapter 162.1 of the Florida statute.  
3018 And that actually same language is in your current Code. It's pretty standard that, once  
3019 the lien is imposed, then the City can be..., the City Attorney can be authorized to foreclose  
3020 on that lien after it's been recorded for three months.

3021 **Councilperson McCoy:** Yeah. But, see..., and this is what doesn't make sense.  
3022 Because this is a political subdivision, right? The special magistrate is, what I believe  
3023 and I have no other reason to think that they wouldn't be impartial. But, if the special  
3024 magistrate, for some chronic violator, which may have not gotten that notice, then directs  
3025 the City Attorney to then..., or the City Attorney or the City Attorney's designee, to foreclose  
3026 on the lien, then quite frankly, you have somebody that is a judicial arm that can direct  
3027 the City Attorney to move with a foreclosure.

3028 Is that not the way that it's written?

3029 **Ms. C. Goddeau:** Madam Chair?

3030 **Chairperson Lanier:** Yes. Go ahead.

3031 **Ms. C. Goddeau:** Thank you.

3032           The, the way that it's written and I'm apologizing if it's confusing how it's written, is  
3033 that it's not the special magistrate that directs the City Attorney to foreclose, it's that the  
3034 City Attorney may foreclose at that point.

3035           Back in 2005, our firm was actually hired by the  
3036 City to foreclose on several properties that had large Code Enforcement liens on them.  
3037 I'm assuming the same process would apply, which is usually what happens at most  
3038 cities, is before the City Attorney pursues foreclosing on a resident or a business within  
3039 the City, they come before the City Council to request the authorization to foreclose.

3040 **Councilperson McCoy:** Follow up for clarity.

3041 **Chairperson Lanier:** Alright, that's... Go ahead.

3042 **Councilperson McCoy:** So that still doesn't answer the question, Ms. Goddeau, and  
3043 I'm saying this respectfully, and really want to be sure on this. This reads, 'The special  
3044 magistrate may authorize the City Attorney...' Does that come with a caveat that the City  
3045 Attorney now has to clear that with the City Council, or does the City Attorney, based off  
3046 of that authorization, can move forward with seeking outside counsel to foreclose on  
3047 liens?

3048           And this is very important because I don't want to be accused of now initiating this  
3049 directive to allow for foreclosures on, on a violator.

3050 **City Attorney Wynn:** Can I jump in?

3051 **Chairperson Lanier:** Yes. Go ahead...

3052 **City Attorney Wynn:** Thank...

3053 **Chairperson Lanier:** ...City Attorney.

3054 **City Attorney Wynn:** Thank you, Madam Chair.

3055           Mr. McCoy, the, the policy of the office is always, when we initiate a lawsuit, to  
3056 bring that to Council first. You've seen that, for instance in the opioid requests that we  
3057 had a while ago. We would never initiate a lawsuit without coming to Council first, then  
3058 we would go to the special magistrate and seek that authorization as well. To, to foreclose  
3059 on a lien.

3060           So, that's where it is. It's not that the special magistrate would direct the City  
3061 Attorney's office to foreclose. We would request that, or we..., we would not request that  
3062 until after coming to City Council. Because we don't initiate lawsuits as an office, by  
3063 ourselves. Only at the re'..., at the behest of the City Council.

3064 **Councilperson McCoy:** Okay. Well, I, I, I appreciate your response but that's not  
3065 what's written here. But thank you. I appreciate it, Ms. Goddeau.

3066 **Chairperson Lanier:** Alright. Very good. Thank you. Thank you for your, your  
3067 comments and your presentation.

3068 Any other questions before we call this question to vote? [Pause]. Thank you.  
3069 Madam Clerk.

3070 **City Clerk Anthony:** Councilperson McCoy?

3071 **Councilperson McCoy:** No.

3072 **City Clerk Anthony:** Councilperson Botel?

3073 **Councilperson Botel:** Yes.

3074 **City Clerk Anthony:** Councilperson Lawson?

3075 **Councilperson Lawson:** Yes.

3076 **City Clerk Anthony:** Pro Tem Miller-Anderson?

3077 **Chair Pro Tem Miller-Anderson:** Yes.

3078 **City Clerk Anthony:** Chair Lanier?

3079 **Chairperson Lanier:** Yes.

3080 **ITEMS TABLED**

3081 **REGULAR**

3082 **14. City Clerk Anthony:** Madam Chair, Members of the Board, we are now on  
3083 to Item No. 14.

3084 **City Clerk Anthony:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3085 RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING THE  
3086 RECOMMENDATION OF STAFF AND AUTHORIZING THE MAYOR AND CITY CLERK  
3087 TO EXECUTE THREE YEAR CONTINUING SERVICE AGREEMENTS WITH THE  
3088 FIRMS OF ALTIMA LIGHTING AND ELECTRICAL CONTRACTING, ARBOR  
3089 ELECTRIC INC. dba MR. WIREMAN, BROWN ELECTRICAL SOLUTIONS,  
3090 CARPENTER ELECTRIC, INC., GRID ONE ELECTRICAL CONSTRUCTION INC., AND  
3091 UNIVERSAL ELECTRIC OF FLORIDA INC. TO PROVIDE ELECTRICAL SERVICES  
3092 FOR CITY-WIDE PROJECTS; PROVIDING FOR TWO (2) ADDITIONAL TWELVE (12)  
3093 MONTH RENEWAL OPTIONS BASED UPON THE MUTUAL CONSENT OF THE  
3094 PARTIES; AND PROVIDING AN EFFECTIVE DATE.

3095

3096 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have any  
3097 public comments on this Item. The acceptance of public comments on this Item is now  
3098 closed.

3099 **Chairperson Lanier:** Can I get a motion for this Item?

3100 **Councilperson Botel:** So moved.



3101 **Councilperson McCoy:** Second.

3102 **Chairperson Lanier:** Very good. Mr. Evans.

3103 **City Manager Evans:** Madam Chair and Members of the Board, if I can have the  
 3104 Director of Procurement, Ms. Althea Pemsel, make this presentation.

3105 **Chairperson Lanier:** Thank you. Ms. Pemsel.

3106 **Procurement Director Pemsel:** You're welcome. [Pause]. Good evening, Chair  
 3107 Lanier, Mayor Felder, Pro Tem, Council and City Administration.

3108 This Item before you is a series of Items that we were, in our strategic plan, was  
 3109 creating Citywide agreements in order to be able to have our departments to respond  
 3110 quickly and effectively to HVAC, electrical, plumbing and those type of services. This is  
 3111 one of the continuing services contract before you, with a number of firms. It'll allow the  
 3112 City to be able to develop, enhance and maintain the integrity of the City, as well as to  
 3113 provide the services that are limited, that may not be limited to general electrical services  
 3114 on existing City buildings, lift station that receive permitting through appropriate local  
 3115 agencies, in accordance with the Florida statute.

3116 So, on March 2<sup>nd</sup>, we issue an RTQ, a Request to Qualify, for Citywide electrical  
 3117 services. We received over a hundred responses on the website, in terms of broadcast.  
 3118 We received a total of six vendors that submitted proposals.

3119 So we're asking, and our recommendation is that you allow us to issue contracts  
 3120 for continuing services to the six firms that are listed. Those firms consist of Altima  
 3121 Lighting and Electrical Contracting, Arbor Electrical, Inc., Electric, Inc., excuse me, dba  
 3122 Mr. Wireman, Brown Electrical Solutions, Carpenter Electric, Inc., Grid One Electrical  
 3123 Construction, Inc., Universal Electric of Florida.

3124 **Councilperson McCoy:** Madam Chair?

3125 **Chairperson Lanier:** Hold on a second. Is that the end of your presentation?

3126 **Procurement Director Pemsel:** Yes.

3127 **Chairperson Lanier:** Okay. Very good. Any questions in regards to this Item?

3128 **Councilperson McCoy:** Yes.

3129 **Chairperson Lanier:** Go ahead, sir.

3130 **Councilperson McCoy:** Ms. Pemsel, did you say lift stations?

3131 **Procurement Director Pemsel:** Yes. As well. Mhmm.

3132 **Councilperson McCoy:** Okay. So, lift stations would be handled on USD. And I think  
 3133 we've already kinda taken this Item on USD, so that's why I was a little confused. But  
 3134 this not a specific for projects for the Utility Special District. This is other Citywide  
 3135 projects?

3136 **Procurement Director Pemsel:** It's for Citywide projects...

3137 **Councilperson McCoy:** Okay.

3138 **Procurement Director Pemsel:** ...general maintenance, and they can use it for  
3139 projects.

3140 **Councilperson McCoy:** Okay.

3141 **Procurement Director Pemsel:** As well.

3142 **Councilperson McCoy:** Alright. No problem.

3143 **Procurement Director Pemsel:** Within a certain authority.

3144 **Councilperson McCoy:** I'm sorry?

3145 **Procurement Director Pemsel:** Within a certain dollar authority.

3146 **Councilperson McCoy:** Okay.

3147 **Procurement Director Pemsel:** Mhmm.

3148 **Councilperson McCoy:** Alright.

3149 **Chairperson Lanier:** Very good. Thank you. Any other questions regarding this  
3150 Item? [Pause]. Excellent. [Chuckle]. Madam Clerk.

3151 **City Clerk Anthony:** Councilperson Botel?

3152 **Councilperson Botel:** Yes.

3153 **City Clerk Anthony:** Councilperson Lawson?

3154 **Councilperson Lawson:** Yes.

3155 **City Clerk Anthony:** Councilperson McCoy?

3156 **Councilperson McCoy:** Yes.

3157 **City Clerk Anthony:** Pro Tem Miler-Anderson?

3158 **Chair Pro Tem Miller-Anderson:** Yes.

3159 **City Clerk Anthony:** Chair Lanier?

3160 **Chairperson Lanier:** Yes.

3161 **DISCUSSION AND DELIBERATION**

3162 **16. City Clerk Anthony:** Madam Chair, Members of the Board, we are now onto  
3163 Item No. 16.

3164 **Procurement Director Pemsel:** Thank you.

3165 **City Clerk Anthony:** Update...

3166 **Chairperson Lanier:** Thank you, Ms. Pemsel. I'm sorry, Madam Clerk.

3167 **City Clerk Anthony:** **UPDATE ON PARKS AND RECREATION MASTER PLAN**  
 3168 **PROCESS**

3169 **RICHARD BLANKENSHIP, PARKS & RECREATION DIRECTOR, 561-845-4070**

3170 **City Clerk Anthony:** Madam Chair, Members of the Board, we do not have public  
 3171 comment on this Item. The acceptance of public comment on this Item is now closed. I  
 3172 also need to bring to your attention, the time is now 9:37.

3173 **Chairperson Lanier:** Thank you. The Item... Mr. Evans.

3174 **City Manager Evans:** Madam Chair and Members of the Board, at this time, I will  
 3175 ask for the Parks & Recreation Director, Mr. Richard Blankenship, to make the  
 3176 presentation and introduce the consultants that will be providing you an update  
 3177 concerning the Parks & Recreation Master Plan.

3178 **Chairperson Lanier:** Thank you. Mr. Blankenship.

3179 **Parks & Recreation Director Blankenship:** Good evening, Council. Richard  
 3180 Blankenship, Parks & Recreation Director.

3181 I'd like to first thank the City Manager for saving the best for last.

3182 [Chuckles]

3183 **Parks & Recreation Director Blankenship:** This is.., we're giving you an update on  
 3184 the...

3185 **City Manager Evans:** [Inaudible].

3186 **Parks & Recreation Director Blankenship:** ...on a.., the Parks Mast Planning  
 3187 process that we've been involved with in the year. We took a little bit of a, a hiatus with  
 3188 COVID, but now we're back.

3189 So, I'd like to introduce Joe Webb, with the firm of AECOM, and Ann Marie Sorrell.  
 3190 And I'll let them take over the, the presentation at this point. Again, this is an update of  
 3191 the Parks Master Plan.

3192 **Chairperson Lanier:** Thank you. Go ahead, sir.

3193 **Mr. J. Webb:** Yes. Thank you very much. Again, my name is Joe Webb. I have an  
 3194 hour and a half presentation...

3195 **Councilperson Botel:** [Chuckle].

3196 **Mr. J. Webb:** ...for everyone's enjoyment. Yes, thank you very much for the opportunity  
3197 to be here this evening. I'm here to talk about Parks & Recreation. Very.. Uh oh. We're  
3198 having some...

3199 **Chairperson Lanier:** That was quick.

3200 **Councilperson Botel:** That was...

3201 [Chuckles]

3202 **Mr. J. Webb:** Any questions?

3203 [Chuckles]

3204 **Councilperson Botel:** We like that.

3205 [Chuckles]

3206 **Mr. J. Webb:** I'm sorry. It...

3207 **Media Team:** [Inaudible].

3208 **Mr. J. Webb:** Yep.

3209 **Media Team:** [Inaudible]

3210 **Mr. J. Webb:** I'm trying. So...

3211 **Chairperson Lanier:** There we go.

3212 **Mr. J. Webb:** There we...

3213 [Chuckles]

3214 **Mr. J. Webb:** Okay. It's late.

3215 **Chairperson Lanier:** I know. Right?

3216 **Councilperson McCoy:** He can just summarize.

3217 **Mr. J. Webb:** It seems...

3218 **Chairperson Lanier:** Yeah. You can, you can, you can.., you can talk and you can  
3219 go fast or you can go slow but you can just go.

3220 **Mr. J. Webb:** Okay.

3221 **Chairperson Lanier:** [Chuckle].

3222 **Mr. J. Webb:** A very simply agenda just to discuss our project goal, our process. Our  
3223 system inventory, kind of an overview and go over what we have heard from the  
3224 community and what they've told us about the park system.

3225 Oh my god.

3226 **Chairperson Lanier:** Don't worry. You can start at number four. [Chuckle].

3227 **Mr. J. Webb:** I just pressed it once really quick.

3228 **Media Team:** Let me know when you want it advanced. We'll advance it from back  
3229 here.

3230 **Mr. J. Webb:** Okay. Then go back... The slide after [inaudible]...

3231 **Media Tem:** Don't, don't press [inaudible].

3232 **Councilperson Botel:** Get your hands...

3233 **City Manager Evans:** We have a special clicker when it gets later on in the evening.  
3234 [Chuckles]

3235 **City Manager Evans:** It skips four or five slides.

3236 **Mr. J. Webb:** Okay. Let me start with project goal. Next slide please. Not...  
3237 [Chuckles]

3238 **Chairperson Lanier:** It's not you. I think that the system is...

3239 **Media Team:** [Inaudible].

3240 **Chairperson Lanier:** Alright. Go ahead. You just start talking, sir. We'll, we'll, we'll  
3241 fix that as we go.

3242 **Mr. J. Webb:** Yes.

3243 **Chairperson Lanier:** You just start talking.

3244 **Mr. J. Webb:** Thank you.

3245 **Chairperson Lanier:** You have it in front of you. We have a copy.

3246 **Mr. J. Webb:** [Inaudible].

3247 **Chairperson Lanier:** Yeah. Just... There we go.

3248 **Mr. J. Webb:** Yeah. Just get me...

3249 The project goal of the Master Plan is to develop a long range planning document  
3250 for the..., and, essentially, for the next ten to fifteen years. The important part of that is  
3251 the comprehensive look at the Department, you know, facilities, operations and programs.  
3252 So, we're kind of comprehensively looking, but also looking out long term, ten to fifteen  
3253 years. That doesn't mean we don't do anything for ten to fifteen years. We also back, do  
3254 a five year strategic plan, and a one year action plan.

3255 In Parks & Recreation, if you don't live in the world I do with Parks & Rec, the, the  
3256 nature of Parks & Recreation [inaudible]...

3257 **Chairperson Lanier:** Keep the mic... Yeah.

3258 **Mr. J. Webb:** Is changing a great deal.

3259 That's better?

3260 **Chairperson Lanier:** Yes.

3261 **Mr. J. Webb:** So, we need to look forward to what are the trends and what people's  
3262 need are, and really assess what people today, in the City want, need and are priorities.

3263 So, our process... Helps if you have it. But, it's really a four step process. All  
3264 planning is simple, where are we? Where do we need to be? And how do we get there?  
3265 We've really been doing up 'til..., up 'til now, our homework, I would say. We researched  
3266 a lot of level of service, looked at data from the City, other guiding documents from the  
3267 City. And then, we launched in pretty much in to a pretty extensive, very extensive public  
3268 involvement process.

3269 Could you go a couple slides?

3270 **Media Team:** [Inaudible].

3271 **Mr. J. Webb:** Okay.

3272 **Media Team:** [Inaudible].

3273 **Mr. J. Webb:** Oh, that's beautiful.

3274 So, again, we're, we're right now here at a, at a mid-point in the process. Really,  
3275 a check in with Council and, you know, [inaudible] to report back in our findings to date  
3276 before we advance too much further into visioning and implementation. So, we are here.

3277 Our system inventory, we went out and visited all the parks. We did an assessment  
3278 of each of them. The good news is, you know, in general, the parks are very well  
3279 maintained. There are certainly opportunities. I think access improvements or, you know,  
3280 better connectivity to the neighborhoods, but the parks themselves, well maintained, the  
3281 mo'..., the grass is mown, the litter is picked up.

3282 But what we have seen out there are..., it's kind of typical of many parks  
3283 departments, there are things reaching their age. It isn't that it's not being maintained. I  
3284 hate using the term deferred maintenance, it's really about capital reinvestment in certain  
3285 items. It's..., from just a professional review of buildings and parking lots and things like  
3286 that.

3287 We did a level of service analysis. We like to see, is there good access to parks?  
3288 Another fortunate part of a good layout, or original layout of Riviera Beach is, you know,  
3289 the purple areas are all those parts of the City where people can walk to a park within ten  
3290 minutes of their home. Which is really optimum. We want everyone to be able to walk to

3291 a park within proximity. It's not uncommon for us to do these plans where there's half the  
3292 City that isn't within that. You know, fortunately here, we're not in that situation. That can  
3293 be very difficult to, to remedy.

3294 So, with that... [Inaudible] to Ann Marie here to talk about some of our outreach  
3295 efforts.

3296 **Ms. A.M. Sorrell:** Alright. Good evening, Council Members, Mayor, Staff. Thank you  
3297 so much for this opportunity.

3298 We wanted to really make sure the community felt a part of this process. So, we  
3299 came up with a campaign like..., a campaign style theme, Your Park, Your Voice. And,  
3300 with that, we did several different community outreach initiatives. One of them being our  
3301 virtual community meeting. Uh oh. I'm going faster than my own slides. Give me a  
3302 second. One of them being our virtual community meeting.

3303 With that, we also did six focus groups. And we broke the focus groups down into  
3304 specific segments of the community, including our Parks & Recreation Advisory Board,  
3305 City department heads and Staff, seniors, neighborhood associations, aquatic, the marine  
3306 industry, you'..., and youth sports organizations. We had eleven stakeholder interviews  
3307 with City officials, Staff and community members. And, we conducted an online survey,  
3308 and mailed a statistical survey to residents. Next slide.

3309 In addition to that, we created outreach materials in which we coordinated with the  
3310 City Parks Recreation team, as well as the City's communication team to place those  
3311 promotional materials to advertise online survey, as well as the virtual public engagement  
3312 on both the website, TV 18, social media channels, the City's newsletter. We did a mailing  
3313 in the Utility bill, as well as posters throughout City facilities. Next slide.

3314 So we also made sure that we wanted to get boots on the ground. So, we did a  
3315 very grassroots effort. We put flyers and distributed flyers to over twenty-five Riviera  
3316 Beach businesses and churches. Next slide.

3317 So, what were the..., what were the outcomes? For focus groups, we had over  
3318 [stammer] forty participants. Next slide. Our teen workshop, which was very successful  
3319 and fun, we had over twenty-five participants. In our senior focus group, we had over  
3320 fifteen participants. With our virtual kickoff, we had twenty-eight participants and we  
3321 completed the eleven stakeholder interviews.

3322 And I'll turn it back over to Joe.

3323 **Mr. J. Webb:** Thank you, Ann Marie.

3324 In summary, a very extensive outreach effort and, you know, in, in the end, what  
3325 we heard was a little, a little surprising but maybe not if we think about it. What we heard  
3326 from a lot of people through the virtual engagement was, some things, park accessibility,  
3327 greenways and trails, improve existing parks. These are some of the common themes  
3328 we heard through that process.

3329 Our virtual engagement was actually very successful in, in our mind. It isn't  
3330 uncommon, you know, even pre-COVID, for me to have more staff at a public meeting  
3331 than, than people that participate. I mean, we try very hard to turn people out to meetings.  
3332 Here, through our virtual engagement platform, we had over 4,000 people visit our  
3333 website and, you know, view the information.

3334 You know, I would've expected maybe four hundred. Here, 4,188 people engaged,  
3335 fifty comments. Really, you know, giving [inaudible] very successful outreach.

3336 **Chairperson Lanier:** So, so, I'm sorry. What.., so, what website was that? The  
3337 4,000 visits? That was the site about the Plan itself?

3338 **Mr. J. Webb:** Yeah.

3339 **Chairperson Lanier:** Oh.

3340 **Mr. J. Webb:** Right.

3341 **Chairperson Lanier:** Okay.

3342 **Mr. J. Webb:** Right. So, there was certainly a lot of interest. And, and Ann Marie  
3343 eluded to it that, you know, teens and seniors were both equally as engaged. The teens  
3344 are a ton of fun. You know, just quick and...

3345 [Inaudible comment]

3346 **Mr. J. Webb:** Yeah. So, we really got a lotta people focusing in on it, and having a lotta  
3347 fun with it. But, you know, the focus groups, all of these different groups participating in  
3348 the process, on top of the virtual public engagement.

3349 What we heard from all these people and what we try to do is listen in multiple  
3350 different ways, and look for those things that come to convergence. You know,  
3351 improvements to existing parks, a need for multipurpose, multigenerational facilities,  
3352 more walking trails, education and wellness. You know, those are different themes than  
3353 might, might have been what was expected, but very much also in, in concert with, I would  
3354 say state and national trends.

3355 We're hearing things like this more in Parks & Recreation where there's a real  
3356 focus on health and wellness. There, there's certainly issues of other things. People still  
3357 want to play. That doesn't take anything away from, you know, your very, very good  
3358 sports and.., I guess, society are changing. People are more interested in health and  
3359 wellness, there's a different.., it might've been also COVID, has made us.., parks more  
3360 valuable to people. That ideas of health and wellness are more important. But this is  
3361 what we heard. Our stakeholders also improved existing facilities. Again.., so, there's  
3362 themes that have started to evolve here.

3363 Additional park amenities and facilities, increasing diversity or programming. I  
3364 heard that repeatedly from almost every group across the board. So, same with our online  
3365 survey. I mean, we had a great number of [stammer] people participating in the online  
3366 survey. High level of satisfaction with the existing facilities and programs.



3367 But again, this desire for a broader base and maybe more noncompetitive,  
3368 nontraditional activities, what I like to call at will recreation. Where people can walk and  
3369 bike and access the parks, get together, socialize. So, not, not the competitive sports.  
3370 Not to take away from those, but that.., what's missing, according to the residents we  
3371 heard from, are those things.

3372 So, statistical survey. This is always one where we rely heavily on it, because we  
3373 get very accurate results. It, it allows us to quantify eighty-seven percent of people said  
3374 this, thirty-four said that. So, top priorities, again, walking...

3375 **Chairperson Lanier:** So, so let me ask a question right quick.

3376 **Mr. J. Webb:** Yeah.

3377 **Chairperson Lanier:** I, I, I got one of those surveys. So, you said you sent out how  
3378 many, and got back how many?

3379 **Mr. J. Webb:** Six hundred.

3380 **Chairperson Lanier:** And how many you got back?

3381 **Mr. J. Webb:** Pardon?

3382 **Chairperson Lanier:** How many did you get back?

3383 **Mr. J. Webb:** Six hundred back. We only count, really, what comes back. We have to  
3384 go through.., I think we sent out almost six thousand.

3385 **Chairperson Lanier:** Oh, so you got six hundred back?

3386 **Mr. J. Webb:** Right.

3387 **Chairperson Lanier:** Oh. Excellent.

3388 **Mr. J. Webb:** I think.., and it's, it's never simple but I think around six thousand went out  
3389 in three separate [inaudible].

3390 **Chairperson Lanier:** Yeah. That, that thing was long, it had.., it asked two  
3391 thousand questions [inaudible] in it. [Chuck].

3392 **Mr. J. Webb:** [Chuck].

3393 **Chairperson Lanier:** But it was.., but that's good you got that many back.

3394 **Mr. J. Webb:** Yeah.

3395 **Chairperson Lanier:** Excellent.

3396 **Mr. J. Webb:** And we keep going until we get the statistically valid number. And it  
3397 actually extended our schedule a little because we weren't getting the accurate number  
3398 across. So...

3399 **Chairperson Lanier:** Right.

3400 **Mr. J. Webb:** ...we'll keep going until we get a hundred [inaudible].

3401 **Chairperson Lanier:** Excellent.

3402 **Mr. J. Webb:** And, it took a while. And, yeah, they say fifteen to twenty minutes. But I  
 3403 think...

3404 **Chairperson Lanier:** No. It...

3405 **Mr. J. Webb:** [Chuckle].

3406 **Chairperson Lanier:** No. It took forty-five minutes at least.

3407 **Mr. J. Webb:** We often struggle because we wanna ask as many questions as possible.  
 3408 But I'm grateful that you answered it.

3409 **Chairperson Lanier:** Yeah.

3410 **Mr. J. Webb:** Did you find it...

3411 **Chairperson Lanier:** I mean, it was, it was kind of.., it just was long. It wasn't  
 3412 difficult, it was just, just long to, to, to, to complete. But it was worth it though, because, I  
 3413 see a lot of responses came back.

3414 **Mr. J. Webb:** And, and obviously, look, it's again, walking, sidewalks.....

3415 **Chairperson Lanier:** Uhuh.

3416 **Mr. J. Webb:** ...nature parks, picnic areas. You know, we break it up, usually by  
 3417 facilities and activities. You know? Somewhat to ask the question.., similar questions in  
 3418 different ways, 'til we get the right... It's consistent.

3419 **Chairperson Lanier:** Yeah.

3420 **Mr. J. Webb:** You're hearing things that are not, you need twelve more basketball courts  
 3421 or this. You know, it's funny, those were on there but, you know, way down the list.

3422 **Chairperson Lanier:** Mhmm.

3423 **Mr. J. Webb:** So, I think this is indicative of, honestly, what I've seen over the last.., kind  
 3424 of evolving over the last five years, or even ten years, where it's a little different than my  
 3425 generation. My generation different than my parents' generation. As a lifestyle, as  
 3426 people, you know, what we do for fun are often what I call at will. We walk and bike and  
 3427 canoe and kayak and do things less rigid on a schedule.

3428 **City Clerk Anthony:** Madam Chair?

3429 **Chairperson Lanier:** Yes.

3430 **City Clerk Anthony:** Members of the Board, the time is now 9:53.

3431 **Councilperson Botel:** I make a motion that we extend the meeting until it's  
3432 completed.

3433 **Chairperson Lanier:** Second.

3434 **City Clerk Anthony:** Cou'...

3435 **Mr. J. Webb:** Okay.

3436 **City Clerk Anthony:** Councilperson McCoy? [Pause]. Councilperson Botel?

3437 **Councilperson Botel:** Yes.

3438 **City Clerk Anthony:** Councilperson Lawson?

3439 **Councilperson Lawson:** Yes.

3440 **City Clerk Anthony:** Pro Tem Miller-Anderson?

3441 **Chair Pro Tem Miller-Anderson:** Yes.

3442 [Chuckles]

3443 **City Clerk Anthony:** Chair Lan'...

3444 **Mr. J. Webb:** [Inaudible].

3445 **City Clerk Anthony:** Chair Lanier?

3446 **Chairperson Lanier:** Yes. [Chuckle]. Now...

3447 **Mr. J. Webb:** I'm very close to the end.

3448 **Chairperson Lanier:** We, we... No. We [stammer] we extended the time. Take  
3449 your time. Present the information to us, because you guys worked hard on this and I  
3450 want us.., I wanna know what the residents said about this.

3451 **Mr. J. Webb:** Yeah. So, what we tried to do in the end is, you know, we used all these  
3452 different methods across the top. And what we looked for is what keeps boiling to the  
3453 top? What do we [inaudible]? Every different way we ask, every different group, all these  
3454 similar questions, what are the things that we keep hearing and that keep.., people keep  
3455 identifying as priorities?

3456 Because we try not to just ask, you know, what do you want? 'Well, I want this, I  
3457 want that, and I want...' You know, we try to ask want, then, of course, questions that  
3458 are about need. Then, need versus priority, so that we really hone down people to not  
3459 just a litany list of a hundred things that might be wanted, but really what is the consensus  
3460 within the community of what is a need and what is a priority.

3461 So, I think you've seen it here. When, when you summarizes it out, it's these  
3462 walking.., walking paths, nature parks, picnic areas. You know, top activities, fitness and  
3463 wellness, nature enjoyment. You know, again, history and museums are coming up.

3464 Performing arts as, again, those things that are high priority, but are not available to  
3465 people. So, there are things in need and are high priority.

3466 So, this is kind of your quick summary of what we heard. That may not have been  
3467 what I guessed. But this is what we heard. So, you know, I think it's..., we got..., what we  
3468 really look for is convergence, where, you know, we'd like to see that everything kind of  
3469 points in the same direction. It's not scattered. So, when I hear it in a statistical survey,  
3470 I heard it in focus groups, I got it back in my virtual meetings. It's pretty true to me that  
3471 this is what people are saying that is priority. If that makes sense.

3472 So again, this is kind of a mid-point check in, just to, you know, catch you all up. I  
3473 know COVID has definitely put some stops and starts in our work, but, you know, bringing  
3474 you all up to speed on what we've been doing so far. Here we are. You know, we're,  
3475 we're meeting here in June to kind of report out on our, our findings from our inventory  
3476 and analysis. And report what we heard from the public. We'll be moving forward with  
3477 kind of a visioning. Okay, how do we get there? And then, ultimately, come back to you  
3478 with a draft Plan that also lays out some steps for implementation. So.

3479 **Chairperson Lanier:** Thank you.

3480 **Mr. J. Webb:** Certainly, your patience and perseverance is appreciated. Happy to  
3481 answer any questions you may have or anything else that we could...

3482 **Chairperson Lanier:** Yes. Thank you for that presentation because when I did the  
3483 survey, I can tell that you were gonna drill down to find the information about what people  
3484 actually really wanted. And I..., and, and looking at this and seeing that, you know, people  
3485 are actually wanting nature trails and being able to enjoy nature in the City, that's, that's  
3486 a plus.

3487 I thank you for the..., for, for the work. We appreciate it.

3488 Any questions from the Board? For the, for the consultants?

3489 **Councilperson Botel:** Madam... Just..., Madam Chair?

3490 **Chairperson Lanier:** Yes. Go ahead.

3491 **Councilperson Botel:** Thank you. No, just thank you for your work. It was interesting  
3492 to see people's reactions. I had the same thoughts as Chair Lanier. You know, it took a  
3493 long time but it was worth it.

3494 [Chuckles]

3495 **Chairperson Lanier:** Yeah. It was.

3496 **Mr. J. Webb:** Well, and we're moving ahead now. So, I guess that's the important thing.

3497 **Chairperson Lanier:** Thank you so much for your presentation.

3498 Any other questions?

3499 Thank you...

3500 **Parks & Recreation Director Blankenship:** Thank you.

3501 **Chairperson Lanier:** ... [inaudible] for your presentation as well.

3502 **Councilperson Botel:** Mr. Blankenship..

3503 **Chairperson Lanier:** I'm sorry. Mr. Blankenship. Mr. Blankenship, thank you.  
3504 [Chuckle].

3505 **DISCUSSION BY THE CITY MANAGER**

3506 **Chairperson Lanier:** Discussion by the City Manager.

3507 **City Manager Evans:** Yes, Madam Chair. Just very briefly in regards to the  
3508 presentation. As you see that there is a lot of desire as it relates to recreational open  
3509 space, passive parks, opportunities for folks to go out and recreate, that certainly is  
3510 something that should be considered when you look at the densities and intensities that  
3511 we will be looking at, as it relates to development within the Broadway/Blue Heron  
3512 corridor. Because, in order to preserve the land and to provide the opportunities to create  
3513 some of those linear parks so you don't have a, you know, a canyon feel or you have a  
3514 situation where the buildings over tower some of the natural beauty that we have in our  
3515 community, is you create for those density bonuses associated with some of the  
3516 amenities that were discussed today.

3517 So certainly, when we do have that conversation with Treasure Coast, some of the  
3518 themes that you've seen here this evening, will be incorporated in some of those  
3519 discussion.

3520 Also, with the survey that we put out as it relates to the community value survey, I  
3521 think we've got roughly about a thousand responses thus far, that will be shared as part  
3522 of your budget discussions. So, this is coming together at the right time. So, if the Board  
3523 does want to look at placing some monies to address some of the items that's contained  
3524 in this study, that will be part of your budget discussions to have the conversation  
3525 amongst yourselves, as to how do we prioritize from a recreational offering perspective,  
3526 to address some of these..., these things that were articulated in the in the study..., or, in  
3527 the survey. So, I, I did wanna bring the attention to the Board on that particular matter.

3528 I did wanna inform the Board that I will be out of the office starting this evening,  
3529 after this meeting, and returning back on Tuesday. I'll be at the Florida City County  
3530 Management Association's annual conference. And so, in my absence, Deputy City  
3531 Manager McBride will be running day to day operations. And I will be available via email  
3532 and telephone if you have any questions.

3533 And that concludes my comments for this evening, Madam Chair.

3534 **Chairperson Lanier:** Thank you, sir.

3535 **DISCUSSION BY THE CITY ATTORNEY**

3536 **Chairperson Lanier:** City Attorney?

3537 **City Attorney Wynn:** No comments, Madam Chair.

3538 **CITY COUNCIL COMMITTEE REPORTS**

3539 **Chairperson Lanier:** City Council committee reports.

3540 **Councilperson Botel:** Just that I attended the Economic Affairs Committee of the  
3541 Palm Beach North Chamber on Thursday of last week.

3542 **Chairperson Lanier:** Thank you.

3543 **STATEMENTS BY THE MAYOR AND CITY COUNCIL**

3544 **Chairperson Lanier:** Statements by the Mayor and City Council. Mayor.

3545 **Mayor Felder:** No comments, Madam Chair. Thank you.

3546 **Chairperson Lanier:** Thank you. Comments from Councilwoman KaShamba  
3547 Miller-Anderson.

3548 **Chair Pro Tem Miller-Anderson:** Yes. I just wanted to say..., send my  
3549 condolences out to Ms. Gwen and Brittany's grandmother, Ms. Bertha Neal.

3550 And also, I don't think I mentioned before that I was appointed to the Florida  
3551 League of Cities Utilities Natural Resources and Public Works Committee.

3552 And then also, I just wanted to make a comment after the..., after we take our vote...,  
3553 after we do our votes, can we get back to saying, you know, how..., what the number was  
3554 that voted yes and voted no? Or, we would say it was..., motion passed with Miller-  
3555 Anderson and Lanier dissenting, or something? 'Cause it just kinda, like, just falls off  
3556 after we do the vote. And, it really..., probably should be on record, I would think, to show  
3557 what the vote was, and just give a summation.

3558 That's just my comments.

3559 **Chairperson Lanier:** Thank you. We will do.

3560 **Chair Pro Tem Miller-Anderson:** Thank you.

3561 **Chairperson Lanier:** Councilman Lawson.

3562 **Councilperson Lawson:** No comments. Thank you, Madam Chair.

3563 **Chairperson Lanier:** Councilwoman Botel?

3564 **Councilperson Botel:** Yes. Just a quick..., a few quick ones. Our quarterly Singer  
3565 Island town hall meeting was very successful and I just, again, wanted to thank the City  
3566 Staff who participated.

3567 I will, once again, be at the Singer Island Community Garden on Saturday, and we  
3568 can use volunteers. I'll be there at 8:30. We, we are almost finished with the work. It's  
3569 coming along beautifully, but we do have to finish filling the beds and installing some  
3570 irrigation. So, we'll, we'll be looking forward to volunteers coming out on Saturday.

3571 Just to remind you that on June 8<sup>th</sup>, we'll be broadcasting videos to celebrates  
3572 World Oceans Day. But on June 13<sup>th</sup>, on Sunday from 2:00 to 5:00, we'll be over at the  
3573 Ocean Walk Mall to celebrate World Oceans Day in a bigger way.

3574 I wanted to let you know that I've begun to work with the Dwyer Foundation in an  
3575 effort to improve the quality of education for those students who attend Dwyer High  
3576 School. Those Riviera Beach students who attend Dwyer.

3577 And, as part of the Workforce Development Taskforce, we'll be establishing a CDL  
3578 program, commercial driver's license program. We all know the tremendous need for  
3579 drivers and this is a, a really lucrative job for somebody. So, I wanna be sure that some  
3580 Rivera Beach folks get those positions.

3581 We're planning a job fair for June 14<sup>th</sup> for a variety of positions on..., at the Singer  
3582 Island restaurants, hotels and condominiums.

3583 The Tourism Master Plan will be presented on..., at our next Council meeting.

3584 And, also at our next meeting, I'll be asking for us to establish an Education  
3585 Advisory Board. I've been concerned, and I know that others on the Council, particularly  
3586 Councilwoman Miller-Anderson, because she's also an educator at heart, wanna do as  
3587 much as we can, as a Council, to improve the quality of education here in Riviera Beach.

3588 And, I also would like to express my condolences to Ms. Gwen on the loss of her  
3589 grandmother.

3590 Thank you.

3591 **Chairperson Lanier:** Thank you.

3592 And, I just wanted to say thank you to Mr. Evans and his Staff, City Staff, for all the  
3593 hard work that they're doing. But I also want to say a serious tank you to the residents of  
3594 Riviera Beach who come out to these meetings, who come to the mic, who make sure  
3595 that we know what is going on in the City and where they stand on these issues. We  
3596 appreciate the residents because, as everyone knows, Riviera Beach, their residents are  
3597 its greatest asset.

3598 Thank you so much. And good night.

3599 **ADJOURNMENT**

3600 **Chairperson Lanier:** This meeting is adjourned.

3601 [Gavel]

3602 [End of video]

3603 **City Employees, Public Comment Speakers and Others**

3604	Senator Bobby Powell	Senator Powell
3605	State Representative Omari Hardy	State Representative Hardy
3606	Assistant City Manager Deirdre Jacobs	Assistant City Manager Jacobs
3607	Brown and Caldwell Nigel Grace	Mr. N. Grace
3608	Utility Special District Compliance	Officer Dr. Anthony Williams
3609		USD Compliance Officer Williams
3610	Lesa McComben	Ms. L. McComben
3611	Billie Brooks	Ms. B. Brooks
3612	Cindy March	Ms. C. March
3613	Trisha Williams	Ms. T. Williams
3614	Eric Williams	Mr. E. Williams
3615	Mary Brabham	Ms. M. Brabham
3616	Erica Davis	Ms. E. Davis
3617	Doretta Paulk	Ms. D. Paulk
3618	Brenda Brown	Ms. B. Brown
3619	Development Services Director Clarence Sirmons	
3620		Development Services Director Sirmons
3621	Assistant City Attorney Lina Busby	Assistant City Attorney Busby
3622	Building Official Michael Grimm	Building Official Grimm
3623	Chief of Police Nathan Osgood	Police Chief Osgood
3624	Torcivia, Donlon, Goddeau & Rubin Christy Goddeau, Esq.	Ms. C. Goddeau
3625	Procurement Director Althea Pemsel	Procurement Director Pemsel
3626	Parks & Recreation Director Richard Blankenship	
3627		Parks & Recreation Director Blankenship
3628	AECOM Joe Webb	Mr. J. Webb
3629	Media Team	Media Team
3630	AECOM Ann Marie Sorrell	Ms. A.M. Sorrell



3631 **APPROVED:**

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3635 **RONNIE L. FELDER**  
3636 **MAYOR**

**SHIRLEY D. LANIER**  
**CHAIRPERSON**

3637 **ATTEST:**

3638

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3641 **CLAUDENE L. ANTHONY**  
3642 **CERTIFIED MUNICIPAL CLERK**  
3643 **CITY CLERK**

**KASHAMBA MILLER-ANDERSON**  
**CHAIR PRO TEM**

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**TRADRICK MCCOY**  
**COUNCILPERSON**

**JULIA A. BOTEL, Ed.D**  
**COUNCILPERSON**

3657 **MOTIONED BY:** \_\_\_\_\_

3658

3659 **SECONDED BY:** \_\_\_\_\_

3660

3661 **T. MCCOY** \_\_\_\_\_

3662 **K. MILLER-ANDERSON** \_\_\_\_\_

3663 **S. LANIER** \_\_\_\_\_

3664 **J. BOTEL** \_\_\_\_\_

3665 **D. LAWSON** \_\_\_\_\_

3666

3667 **DATE APPROVED:**   **JULY 21, 2021**