CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MONDAY, DECEMBER 19, 2016, 2016 AT 6:00 P.M.

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

[Before meeting chatter]

[Gavel]

CALL TO ORDER

CHAIRPERSON DAVIS: Good evening everyone. Welcome to the City of Riviera Beach Utility Special District Board meeting on this Monday, December 19th at 6:00 p.m. At this time, we're gonna call this meeting to order.

ROLL CALL

INVOCATION

CHAIRPERSON DAVIS: Madam Clerk, roll call, please.

DISTRICT CLERK ANTHONY: Chairperson Terence Davis?

CHAIRPERSON DAVIS: Here.

DISTRICT CLERK ANTHONY: Chair Pro Tem KaShamba Miller-Anderson? [Pause]. Board Member Lynne Hubbard?

BOARD MEMBER HUBBARD: Here

DISTRICT CLERK ANTHONY: Board Member Tonya Davis Johnson? [Pause]. Board Member Dawn Pardo?

BOARD MEMBER PARDO: Present.

DISTRICT CLERK ANTHONY: Mayor Thomas Masters is an *ex-officio* Board Member. Interim City Manager Danny Jones is out on official business. Interim Executive Director Troy Perry?

INTERIM EXECUTIVE DIRECTOR PERRY: Here.

DISTRICT CLERK ANTHONY: District Clerk Claudene Anthony is present. District Attorney Andrew Degraffenreidt? [Pause]. District Finance Director Randy Sherman?

DISTRICT FINANCE DIRECTOR SHERMAN: Here.

DISTRICT CLERK ANTHONY: You may proceed.

CHAIRPERSON DAVIS: Thank you.

PLEDGE OF ALLEGIANCE

CHAIRPERSON DAVIS: At this time, we will stand as we pause for a moment of silence and the Pledge will be led by Councilperson Hubbard.

[Moment of silence]

BOARD MEMBER HUBBARD: I pledge allegiance…

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

ADDITIONS, DELETIONS, SUBSTITUTIONS

CHAIRPERSON DAVIS: Staff, do we have any additions, deletions or substitutions?

INTERIM EXECUTIVE DIRECTOR PERRY: No, Mr. Chair.

CHAIRPERSON DAVIS: Thank you.

DISCLOSURES BY BOARD OF DIRECTORS

CHAIRPERSON DAVIS: Any disclosures by any Members of the Board?

[Inaudible dais comment]

CHAIRPERSON DAVIS: None?

BOARD MEMBER HUBBARD: None, sir.

CHAIRPERSON DAVIS: Okay. I'mma pause for a minute. [Pause]. We've got Commissioner Davis Johnson, she's arriving. Before we ask for a motion to approve Consent, does anyone.., would like to pull any Items from Consent? [Pause]

ADOPTION OF AGENDA

CHAIRPERSON DAVIS: Do we have a motion to approve Consent?

BOARD MEMBER HUBBARD: So moved.

BOARD MEMBER PARDO: Second.

CHAIRPERSON DAVIS: Properly moved and second. Madam Clerk.

DISTRICT CLERK ANTHONY: Councilperson Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: And for the record, Council'.., Commissioner Davis Johnson is here. Commissioner Davis Johnson is here. Thank you.

AWARDS AND PRESENTATIONS

CHAIRPERSON DAVIS: And now we're gonna go to awards and presentations.

DISTRICT CLERK ANTHONY: None.

PUBLIC HEARINGS

CHAIRPERSON DAVIS: Public hearings.

DISTRICT CLERK ANTHONY: None.

REGULAR AGENDA

3. ITEM NO. 3

CHAIRPERSON DAVIS: Regular Agenda Item No. 3.

DISTRICT CLERK ANTHONY: RESOLUTION NO. RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (DISTRICT), PALM BEACH COUNTY, FLORIDA TO ADOPT A FIVE-YEAR FACILITIES IMPROVEMENT PLAN FOR THE REPAIR, REPLACEMENT, IMPROVEMENT AND NEW CONSTRUCTION REQUIRED FOR COMPLIANCE WITH CONSENT ORDER WP-020-2016 WITH THE FLORIDA DEPARTMENT OF HEALTH,

PALM BEACH COUNTY (FDHPBC) EXECUTED ON JUNE 6, 2016; AND DOCUMENTING THE INTENT OF THE BOARD OF DIRECTORS TO FUND THE PLAN; AND PROVIDING AN EFFECTIVE DATE.

BOARD MEMBER DAVIS JOHNSON: So moved.

BOARD MEMBER PARDO: Second.

CHAIRPERSON DAVIS: Properly moved and second. Staff?

INTERIM EXECUTIVE DIRECTOR PERRY: Yes. Good evening, Board. Troy Perry. What you have before you is a, a proposal from Staff for you to approve a five-year plan as part of the Consent Order with the Health Department. We were required to put together a repair and maintenance schedule consistent with those items that were identified by U.S. Water in their report. What you have before you here is our proposed plan. While the years are not etched in stone, we did.., we took our best shot at trying to deviate the projects over five years. One of the things that you will notice, that a lot of these projects had already been approved in our current five-year plan so it was very easy just to take 'em and slide 'em into this plan.

What the Health Department is looking for is a plan that the City Council actually adopts separate to that plan and once we.., if the City Council decides to approve tonight, we'll send this plan to the Health Department.

CHAIRPERSON DAVIS: Thank you. Any questions by any of the Board Members of Staff? [Pause]. Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Alright. Thank you so much.

4. ITEM NO. 4

DISTRICT CLERK ANTHONY: RESOLUTION NO.____ A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, REQUESTING AUTHORIZATION TO ESTABLISH CONTRACT 850-17-1, PRE-QUALIFICATION OF CONTRACTOR(S) TO PERFORM REPAIR OF PUMPS AND MOTORS AND TO SUPPLY NEW EQUIPMENT BASED ON MANUFACTURER; AND AUTHORIZING THE PURCHASING DIRECTOR TO ADD QUALIFIED CONTRACTORS TO THE MASTER CONTRACT LIST AS THEY PRESENT QUALIFICATIONS FROM THE PRE- ESTABLISHED LIST OF MANUFACTURERS TO THE CONTRACT; AND AUTHORIZING THE UTILITY DISTRICT CHAIRPERSON AND DISTRICT CLERK TO EXECUTE SAME; AND PROVIDING AN EFFECTIVE DATE.

BOARD MEMBER PARDO: So moved.

BOARD MEMBER DAVIS JOHNSON: Second.

CHAIRPERSON DAVIS: Properly moved and second. Do we have a presentation from Staff?

INTERIM EXECUTIVE DIRECTOR PERRY: Yes, sir. I'll ask the Purchasing Director, Mr. Dean Mealy, to come forward. But while he's coming, this is a, this is a request from Staff to establish a, a list of vendors that would move forward with making repairs at the Utility District. As you know, there are a lot of repairs that need to be made as highlighted in the U.S. Water report, establishing that this list would also enable us to move forward with it but I'll have Mr. Dean Mealy give an overview of this particular Agenda Item.

PURCHASING DIRECTOR MEALY: Good evening, Council. Dean Mealy.

CHAIRPERSON DAVIS: Good evening.

PURCHASING DIRECTOR MEALY: The.., when we submitted, or actually sent the solicitation out, only one vendor actually had qualified at the time of submittal and that was [stammer] Tampa Armature, which is the 1-TAC. They are a minority based firm and they have listed their.., the equipment they're able to do repairs on based on.., by letters of agreement from the manufacturer. So, what we do, is we create a spreadsheet of all the different pumps and motors that are, are.., we currently utilize within the Utility District or may end up securing as part of a best business practice for pumps and motors, get them to pre-qualify as far as being able to repair a Flygt pump or, or [stammer] Allen Bradley, whatever type pump we may have or, or motor we need to have repaired. We will build on this list. Since this was actually submitted to Council, there's two more manufacturers, Florida Bearings, which is here in Riviera Beach and Condo Electric will also be asked to be added to this list. I'm just waiting for letters back from the manufacturer stating they are authorized as repair facilities for their particular pumps and motors that they have identified as being able to repair.

So, the pre-qualification list will be based solely on what their qualified to do as a repairer by the manufacturer of the said pump and/or motor and also be able to supply us the pumps and motors as we need, for brand new equipment.

CHAIRPERSON DAVIS: Thank you, Mr. Mealy. Do anyone have any questions for Staff? [Pause]. Any questions? [Pause]. Here, none. Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Thank you.

END OF REGULAR AGENDA

CHAIRPERSON DAVIS: That's the end of Regular Agenda.

COMMENTS FROM THE PUBLIC

CHAIRPERSON DAVIS: We have no public comment cards, at this time.

DISCUSSION BY THE EXECUTIVE DIRECTOR

CHAIRPERSON DAVIS: I guess we can go down to the discussions by the Executive Director of the Utility District.

INTERIM EXECUTIVE DIRECTOR PERRY: Yes, Mr. Chair. We have a brief progress report from Mr. Bevin Beaudet on some of the activities last month.

MR. B. BEAUDET: Thank you, Mr. Chair, Members of the Board. I've included the progress report in your Agendas. It's relatively brief. I'm not gonna read it or go into detail. Let me just hit a couple of highlights. First of all, the water sampling that has been conducted for the entire month has shown that we have been in complete compliance with the residual requirements and also we have had no violations of bacteriological conditions. So, the water quality for a'.., the past two months now has

been completely without any violation. And again, that's, in my view, good diligent work by the Staff. We're all learning as we go about how to operate this plant better and, and how to flush better. And again, I remind you that the [stammer], you've, you've approved the five year plan. We're gonna be bringing, shortly, to you some projects that will make it easier for the Staff to continue to reliably produce good water.

The other thing I just wanted to mention is on the in-kind services project for the water Consent Order. It included the dedicated sampling stations, that you all approved. And, we're putting in 15 of these stations throughout the Utility District to replace 15 of the 40 existing stations. And, uh, we started work last week. I believe they've already installed about six of them. I personally inspected them last week with Layton Walker, we went out and took a look at 'em. They're, they're doing a great job. They're in good locations, they're very sturdy units and I've, um, we have every expectation that we will meet the deadline. The only thing that we won't meet is the deadline for permits from right-of-way from the county and FDOT. And that's okay with the Health Department. Sometimes they take two months [chuckle] to get. So, they've said they're more than happy to approve the completion of the work once we actually start taking samples from it. So that, that's going very well also.

And, I guess, one last thing. It was not in my report, it's new information is that, I know Mr. Perry spent time with the Staff, particularly the lift station group and Mr. Davis and Mr. Jackson and we, we got them to prioritize getting new equipment and repairing pumps and lift stations. And this is a requirement of our FDEP Consent Order and they have really done a lot of work in the last two weeks. They've replaced a lot of bad pumps. They put in new pumps where there was only one pump in a lift station, you know, which is [stammer] a risk and reliability issue. They've really put their, um, their nose to the grindstone and we're making some progress in that area.

So, those are the, the real key issues that I wanted to bring to your attention.

CHAIRPERSON DAVIS: Thank you, Mr. Beaudet. Anyone have any questions for Mr. Beaudet? [Pause]. Anyone from the Commission? [Pause]. Thank you, sir for the update and your report, Mr. Perry. Anything else?

INTERIM EXECUTIVE DIRECTOR PERRY: Yes, Board. We have a report from Attorney Mr. Cunningham regarding Lift Station 10 and 50. I'll just give you a brief overview. As you know, we terminated the contract with Close Construction. Since that time, our attorney's been working with the surety company to try and get them to hold up their.., the, the agreement that we had with them. Two issues, whether or not.., two, two issues remain, whether or not they're gonna finish the pro'.., the project regardless or are they gonna give the City the money to finish the project. So, our attorney wrote a letter about a week ago and the surety company responded to it. We gave 'em a, a deadline of December the 15th to respond. And, I talked to the attorney a couple days ago and we became aware that the surety company was waiting on some bids to come back this week. So, we extended the time and we're gonna wait to see what, what goes on. If the bids come in and the surety company decides to move forward with the project, they'll be responsible for completing it. If not, I'll be coming back to the Board

and we'll have to look at maybe utilizing one of those contractors or how, how it's.., determine how the Board would like to move forward.

But, uh, as you know, Close Construction did file a lawsuit and I, I believe you all received a copy of that a couple weeks ago. But, we are moving forward with trying to get this work complete. The surety company, like I said, they believe that they just.., they don't have to finish the project, they'll just give us the money and, and then, and then, you know, walk away and we just, you know, finish the project. The pro'.., the surety.., it's for $3.7M. I think what's remaining is around $2.1 or $2.2M, so, they'll, they'll be responsible for the entire $3.7.

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER DAVIS JOHNSON: Mr. Chair?

CHAIRPERSON DAVIS: Commissioner Davis Johnson.

BOARD MEMBER DAVIS JOHNSON: Mr. Perry, what's the extension date? You said that we've extended the date. We've extended it to when?

INTERIM EXECUTIVE DIRECTOR PERRY: We got word that they were waiting on the bids to come in on the 21st. So, if we don't hear from 'em on the 21st, the attorney's gonna call them and find out what's going on and, if not, we'll move forward with coming back to the City Council saying we wanna terminate and just go forward with…

BOARD MEMBER DAVIS JOHNSON: So, the 21st…

INTERIM EXECUTIVE DIRECTOR PERRY: …completing the project.

BOARD MEMBER DAVIS JOHNSON: …is the date?

INTERIM EXECUTIVE DIRECTOR PERRY: Yes, ma'am.

BOARD MEMBER DAVIS JOHNSON: Okay. Thank you.

CHAIRPERSON DAVIS: Mhmm. Thank you. Any other questions for Mr. Perry by the Commission? [Pause]. Thank you, sir.

STATEMENTS BY THE DISTRICT BOARD

CHAIRPERSON DAVIS: Any statements by any Members of the Board?

BOARD MEMBER HUBBARD: Yes, sir.

CHAIRPERSON DAVIS: Yes?

BOARD MEMBER HUBBARD: I noticed that we had someone come in for, it seemed like, a public comment card. Do you wanna hear it, Mr. Chair?

CHAIRPERSON DAVIS: Mm.

BOARD MEMBER HUBBARD: Since we moved so fast today.

CHAIRPERSON DAVIS: If this is the pleasure of the Board, I have no problem with it.

BOARD MEMBER HUBBARD: Okay.

CHAIRPERSON DAVIS: Yes. Let's get through the comments and then we'll go…

BOARD MEMBER HUBBARD: Okay.

CHAIRPERSON DAVIS: …[inaudible]. Commissioner.

BOARD MEMBER PARDO: Well, the only thing I'd like to say is, I'd like to wish Happy Holidays to the Utility Staff. You know, you guys went through a lot this year and I'm confident that next year's going to be much better and just thank you for, you know, holding the fort down this year and doing everything that you guys did. So, I appreciate you all and Happy Holidays.

INTERIM EXECUTIVE DIRECTOR PERRY: Thank you.

CHAIRPERSON DAVIS: Commissioner Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: I too would like to thank the Staff for all of its efforts to bring us into compliance and to do the work that you've done. I wish you all a very Happy Holidays and to our Utility's customers as well, Happy Holidays.

CHAIRPERSON DAVIS: Thank you. Let the record reflect, Vice Chair Miller-Anderson is here. We're gonna go to.., let's.., just one public comment card really quick. Mr. David Paul. Derrick Paul.

MR. D. PAUL: Good evening, Mayor and Council. I would like to thank you for giving me this opportunity, uh, to speak to you. The meeting did go pretty fast tonight. [Chuckle]. So, I have a few things I'd like to share with you. It won't take too long.

As you know, I've been working on this little project trying to figure out a way to help lower the water bill for the cus'.., for the citizens, okay? And, the first time when I came in here I did not have documents but tonight I do have documents that I would like to give to Mr. Perry and he will give to the Manager or you all, however he so designed to distribute it. I talked about, in the past, about a 10% utility tax. Some cities do not do 10% utility tax and I just wanted to point that out again and tell you Palm Beach Gardens don't do it, some cities don't do it. I also talked about, uh, if it's all possible that you will request from Staff, the revenue that came in on the utility tax from last year revenue from the homestead and for the whole City to see if that's something feasible that we can do for the citizens of Riviera Beach. I would like for you to consider that and, you know, just take a look at some of your options cause we are trying to figure out a way to help lower the water bill.

Also, [stammer], [pause], I talked about three different ways too, to possibly lower the water bill and one of 'em had to do with having the citizens to possibility pay quarterly and one of 'em had to do with semi-annual. And, one of 'em had to do with annually and I talked about maybe putting it on the tax statement. And since I've had the meeting with you all, as I said, I did not have the documents at the time. I spoke with people over the phone and the information that I got, one of 'em wasn't quite right and I would like to say that was, uh, I talked about Boynton had one of 'em on their tax statement. And I was incorrect about that one. But I would like to say Lake Park do, in fact, have stormwater, do, in fact, have stormwater on their tax statement and I submitted that to the Utility District office on Friday and to the Manager' office so that they can take a look at it.

And I also found another one here that I would also give Mr. Perry. Another city that happened to have stormwater on there. So, it seem like stormwater's the popular one that you can possibly put on the tax statement. You just.., I believe, just the Public Works Director will probably have to, you know, write up something or.., like, piggyback off some of these cities that do have that. It was pretty easy to do. You know? Once you know someone who, you know, live outta town and out of state, or whatever the case might be, you can call and talk to 'em or, some of these computer wiz's, you know, they can go online and find out what some of the different…

[Beep]

MR. D. PAUL: …uh, how, how the tax, how the taxes are handled in their different city and town. So, I do have two of 'em but [stammer], and I do have numbers of others that do have stormwater, like, stormwater program, maintenance program and all that put together. And one of the cities had it on since 2004. One of 'em had it on for, uh, five years and I will give this information to Mr. Perry so maybe Public Works can look at it because I do want you to have as many options as you can to help lower the water bills for the City of Riviera Beach.

Okay?

CHAIRPERSON DAVIS: Okay.

MR. D. PAUL: So, uh, it is possible, that can happen.

CHAIRPERSON DAVIS: Thank you, sir.

MR. D. PAUL: I, I have documents that can really, uh, justify that.

CHAIRPERSON DAVIS: Thank you, Mr. Paul.

MR. D. PAUL: Okay. Thank you.

CHAIRPERSON DAVIS: Appreciate everything. I'm sure Mr. Perry will research that information. Vice Chair Miller-Anderson, we've been going… We got through the meeting pretty fast.

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

CHAIRPERSON DAVIS: But, we're just kinda giving updates and comments by the Commission at this time. So, you have anything you wanted to share?

CHAIR PRO TEM MILLER-ANDERSON: No. I don't have anything at this time.

CHAIRPERSON DAVIS: Okay. Alright. Well, I just wanna wish Happy Holidays to everyone as we move forward for the New Year. We still have one more meeting coming up this Wednesday night, City Council meeting. So, hopefully, we can get that meeting just as smooth as this one. So, other than that, any other comments before we adjourn this meeting?

BOARD MEMBER HUBBARD: Happy Holidays to all of Riviera Beach.

INTERIM EXECUTIVE DIRECTOR PERRY: Thank you.

BOARD MEMBER HUBBARD: And the Staff.

ADJOURNMENT

CHAIRPERSON DAVIS: Motion to adjourn the meeting?

BOARD MEMBER DAVIS JOHNSON: So moved.

[Gavel]

[End of video/audio]

City Employees, Public Speakers and Others

PURCHASING DIRECTOR DEAL MEALY……PURCHASING DIRECTOR MEALY

CONSULTANT BEVIN BEAUDET……..MR. B. BEAUDET

DERRICK PAUL……MR. D. PAUL

APPROVED:

_____
TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

_____
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

_____
KaSHAMBA L. MILLER-ANDERSON
CHAIR PRO TEM

_____
LYNNE L. HUBBARD
COUNCILPERSON

_____
TONYA DAVIS JOHNSON
COUNCILPERSON

_____
DAWN S. PARDO
COUNCILPERSON

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

D. PARDO _____

T. DAVIS _____

DATE APPROVED: __JANUARY 25, 2017__