

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT MEETING MINUTES
MONDAY, JUNE 18, 2018 AT 6:00 P.M.**

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

[Before meeting chatter starts at 4:00]

CALL TO ORDER

CHAIRPERSON DAVIS JOHNSON: Good evening. I'd like to call to order the Utility Special District meeting of June 18th to order.

ROLL CALL

INVOCATION

CHAIRPERSON DAVIS JOHNSON: Madam Clerk, roll call, please.

DEPUTY DISTRICT CLERK BURGESS: Chair Tonya Davis Johnson?

CHAIRPERSON DAVIS JOHNSON: Here.

DEPUTY DISTRICT CLERK BURGESS: Pro Tem Lynn Hubbard?

CHAIR PRO TEM HUBBARD: Here.

DEPUTY DISTRICT CLERK BURGESS: Board Member KaShamba Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Here.

DEPUTY DISTRICT CLERK BURGESS: Board Member Julia Botel? [Pause]. Board Member Terence Davis? [Pause]. Mayor Thomas Masters, *ex officio* Board Member? [Pause]. Karen Hoskins, City Manager?

CITY MANAGER HOSKINS: Present.

DEPUTY DISTRICT CLERK BURGESS: Executive Director Willie Horton?

EXECUTIVE DIRECTOR HORTON: Here.

DEPUTY DISTRICT CLERK BURGESS: District Deputy Clerk Jacqueline Burgess is present. District Attorney Andrew Degraffenreidt, III?

BOARD MEMBER MILLER-ANDERSON: He's coming up.

CHAIR PRO TEM HUBBARD: Coming.

DEPUTY DISTRICT CLERK BURGESS: You have a quorum.

CHAIRPERSON DAVIS JOHNSON: Thank you.

PLEDGE OF ALLEGIANCE

CHAIRPERSON DAVIS JOHNSON: I'd like to stand for a moment of silence followed by the Pledge of Allegiance, led by Councilwoman Miller-Anderson.

[Moment of silence]

BOARD MEMBER MILLER-ANDERSON: 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.

CHAIRPERSON DAVIS JOHNSON: MEMBERS OF THE PUBLIC SHALL BE GIVEN A TOTAL OF THREE MINUTES TO SPEAK ON ALL ITEMS LISTED ON THE CONSENT AGENDA. ANY PERSON WHO WOULD LIKE TO SPEAK ON A CONSENT AGENDA ITEM, PLEASE FILL OUT A PUBLIC COMMENT CARD LOCATED ON THE TABLE DIRECTLY OUTSIDE OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE ADOPTION OF THE AGENDA.

AGENDA APPROVAL

ADDITIONS, DELETIONS, SUBSTITUTIONS

CHAIRPERSON DAVIS JOHNSON: Madam Manager, are there any additions, deletions or substitutions?

CITY MANAGER HOSKINS: Yes, ma'am. We have one addition under Regular Agenda. A Resolution of the Board of Directors of the City of Riviera Beach Utility Special District, Palm Beach County, Florida, Resolution authorizing the payment of several outstanding invoices for services rendered in the amount of \$13,724.90 for grid one and \$4,455.60 for a core and main, and authorizing future use of both vendors until such time that a public solicitation is completed and the District requests a not to exceed amount of \$50,000 for each vendor, and authorizing the District Finance Director to make payment, account numbers 411-413-1438-535-0-3405, and for grid one, and for and 1411-1435-33-0-4606 for core and main and providing an effective date.

CHAIRPERSON DAVIS JOHNSON: Nothing further?

CITY MANAGER HOSKINS: No ma'am. That's it.

DISCLOSURES BY BOARD OF DIRECTORS

CHAIRPERSON DAVIS JOHNSON: Are there any disclosures by Board? [Pause]. I do want to go onto the record just to say that Chen Moore and Associates was a former..., formerly certified SBE in my office on the county side.

ADOPTION OF AGENDA

CHAIRPERSON DAVIS JOHNSON: Motion to adopt the Agenda, please?

BOARD MEMBER MILLER-ANDERSON: So moved.

CHAIR PRO TEM HUBBARD: Second.

CHAIRPERSON DAVIS JOHNSON: It's been motioned and properly second. Are there any comment cards?

DEPUTY DISTRICT CLERK BURGESS: No, ma'am.

CHAIRPERSON DAVIS JOHNSON: Madam Clerk.

DEPUTY DISTRICT CLERK BURGESS: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Yes.

DEPUTY DISTRICT CLERK BURGESS: Pro Tem Hubbard?

CHAIR PRO TEM HUBBARD: Yes.

DEPUTY DISTRICT CLERK BURGESS: Chair Davis Johnson?

CHAIRPERSON DAVIS JOHNSON: Yes.

DEPUTY DISTRICT CLERK BURGESS: Unanimous vote.

CONSENT AGENDA

CHAIRPERSON DAVIS JOHNSON: ALL MATTERS LISTED UNDER THIS ITEM ARE CONSIDERED TO BE ROUTINE AND ACTION WILL BE TAKEN BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A BOARD MEMBER SO REQUESTS IN WHICH EVENT, THE ITEM WILL BE REMOVED FROM THE GENERAL ORDER OF BUSINESS AND CONSIDERED IN ITS NORMAL SEQUENCE ON THE AGENDA.

CHAIRPERSON DAVIS JOHNSON: Are there any Items to be pulled?

CHAIR PRO TEM HUBBARD: Two.

BOARD MEMBER MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS JOHNSON: Would you...

CHAIR PRO TEM HUBBARD: I'm sorry, Madam Chair...

CHAIRPERSON DAVIS JOHNSON: Thank you.

CHAIR PRO TEM HUBBARD: I'd like to pull Item No. 2, please.

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem, Councilwoman Miller-Anderson.

BOARD MEMBER MILLER-ANDERSON: You, you said you're pulling No. 2?

CHAIRPERSON DAVIS JOHNSON: Yes. She said No. 2.

BOARD MEMBER MILLER-ANDERSON: And I wanna pull No. 1. Thanks. Well, I...

CHAIRPERSON DAVIS JOHNSON: Okay.

BOARD MEMBER MILLER-ANDERSON: ...wanted 1 and 2.

CHAIRPERSON DAVIS JOHNSON: So we're pulling Items No. 1 and 2 for discussion. [Pause]. In that case, there's nothing...

DEPUTY DISTRICT CLERK BURGESS: Right.

RESOLUTIONS

ITEM NO. 1

DEPUTY DISTRICT CLERK BURGESS: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA AMENDING RESOLUTION 10-17 UD, AUTHORIZING THE PURCHASE AND DELIVERY OF A NEW VAC-CON SEWER COMBINATION CLEANER BODY FROM SOUTHERN SEWER EQUIPMENT SALES IN THE AMOUNT OF \$463,785.26 BY THE USE OF A COOPERATIVE AGREEMENT WITH THE FLORIDA SHERIFF ASSOCIATION, CONTRACT NO. FSA16-VEH15.0, SPECIFICATION NO. 50, AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO MAKE PAYMENT, AUTHORIZE THE DISTRICT FINANCE DIRECTOR TO TRANSFER \$50,500 FROM CONTINGENCY ACCOUNT NUMBER 411-1438-536-0-5999 TO THE CAPITAL VEHICLE ACCOUNT NUMBER 411-1417-536-0-6451 AND PROVIDING AN EFFECTIVE DATE.

CHAIRPERSON DAVIS JOHNSON: Is there a motion?

CHAIR PRO TEM HUBBARD: So moved.

BOARD MEMBER MILLER-ANDERSON: Second.

CHAIRPERSON DAVIS JOHNSON: Mr. Horton.

EXECUTIVE DIRECTOR HORTON: Good afternoon, Madam Chair and Members of the Board. Thank you for this opportunity.

The, the VAC truck that we have on the Agenda tonight is to replace a VAC truck that we've had to put in the shop repeatedly. It's a VAC truck, I believe it's a 2005 or 2008, I don't have the exact date. And the amount of monies that we spend on an annual basis equates to about \$150,000 a year. These VAC trucks are critical to our operations when we have a sewer main break, or when we have any type of SSO, it helps us to recover the wastewater that has been lost out of our systems. These VAC trucks also have devices on them that will allow us to unplug lines that exist in our systems from time to time. The VAC trucks are used on a daily basis. Because we only have one operating VAC truck, oftentimes, we have to go either to Public Works to borrow their one VAC truck, or we have to go and lease a VAC truck.

So, I'm recommending approval of this, of this expenditure to replace the one that's in the shop, and then we would put the one in the shop on excess equipment and sell it.

BOARD MEMBER MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Councilwoman..., Board Member Miller-Anderson.

BOARD MEMBER MILLER-ANDERSON: How many do..., should we..., how many are typically housed within a, a District in order to effectively run?

EXECUTIVE DIRECTOR HORTON: Well, it depends on the size of the District. Because we're so small...

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR HORTON: ...the two that we have are adequate to address the needs when they're both operational.

BOARD MEMBER MILLER-ANDERSON: Okay. And so, the one that we approved..., I thought we approved one a little over a year ago. I see..., we mentioned about December 20th but we hadn't received one since..., before then?

EXECUTIVE DIRECTOR HORTON: The, the two that we have in operation right now are, I think, the youngest one is eight years old.

BOARD MEMBER MILLER-ANDERSON: Hmm. Okay. [Pause]. Go ahead.

CHAIRPERSON DAVIS JOHNSON: Chair..., Chair Pro Tem.

EXECUTIVE DIRECTOR HORTON: I'm just, I'm just told that there was one approved for Public Works back in December. They do have a VAC truck. But for the Utility, we have two.

CHAIR PRO TEM HUBBARD: Okay. That was gonna be my question I was gonna ask, were the two that you were referencing, were they one in Public Works and one in Utility or they both...

EXECUTIVE DIRECTOR HORTON: No. Both., the two VAC trucks that I'm referring to are the Utility District VAC trucks.

CHAIR PRO TEM HUBBARD: So., and both of those are not operable, is what you're saying?

EXECUTIVE DIRECTOR HORTON: We have one of the two...

CHAIR PRO TEM HUBBARD: Inoperable?

EXECUTIVE DIRECTOR HORTON: ...that's not o'... That's correct.

CHAIR PRO TEM HUBBARD: Okay. And the others ones that we have as a., Citywide, is Public., is Public...

EXECUTIVE DIRECTOR HORTON: Is Public Works for storm sewer.

CHAIR PRO TEM HUBBARD: For storm...

EXECUTIVE DIRECTOR HORTON: I think it's important to understand that, in the sanitary sewer system, you have continuous flow, 24/7. In the storm sewer system, that is not necessarily the case. So, their needs aren't as frequent as the Utility needs, which is every day.

CHAIR PRO TEM HUBBARD: Okay. Okay. Alright. Thank you.

EXECUTIVE DIRECTOR HORTON: You're welcome.

CHAIRPERSON DAVIS JOHNSON: Any further questions?

BOARD MEMBER MILLER-ANDERSON: No.

CHAIRPERSON DAVIS JOHNSON: Madam Clerk.

DEPUTY DISTRICT CLERK BURGESS: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Yes.

DEPUTY DISTRICT CLERK BURGESS: Pro Tem Hubbard?

CHAIR PRO TEM HUBBARD: Yes.

DEPUTY DISTRICT CLERK BURGESS: Chair Davis Johnson?

CHAIRPERSON DAVIS JOHNSON: Yes.

DEPUTY DISTRICT CLERK BURGESS: Unanimous vote.

ITEM NO. 2

DEPUTY DISTRICT CLERK BURGESS: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA ACCEPTING A PROPOSAL IN THE AMOUNT OF \$105,703 FROM CHEN MOORE AND ASSOCIATES, INC., TO PROVIDE ENGINEERING DESIGN, PERMITTING AND CONSTRUCTION BIDDING ASSISTANCE SERVICES FOR WATER AND SEWER UTILITY UPGRADES ON AVENUE O, ON 27TH STREET TO 31ST STREET, 28TH STREET FROM AVENUE O TO AVENUE R, 36TH STREET FROM AVENUE O TO PRESIDENT BARACK OBAMA HIGHWAY, AND AVENUE N FROM 35TH STREET TO 36TH STREET, AND AUTHORIZING UTILITY DISTRICT FINANCE DIRECTOR TO MAKE SUBSEQUENT PAYMENTS FROM ACCOUNT NUMBER 415-1417-536-0-6306, AFTER WORK AUTHORIZATIONS HAVE BEEN ISSUED AND PROVIDING FOR AN EFFECTIVE DATE.

BOARD MEMBER MILLER-ANDERSON: So moved.

CHAIR PRO TEM HUBBARD: Second.

CHAIRPERSON DAVIS JOHNSON: Mr. Horton.

EXECUTIVE DIRECTOR HORTON: Thank you, Madam, Madam Chair and Members of the Board.

This Resolution is to accommodate a CDBG project that the Department of Public Works has that they're ned'., needing to move on. We were made aware a couple months ago that they needed to move on this within the next six months. As a result, we have looked at the consultant that they are presently using for the project, which is Chen Moore. Since Chen Moore is already on their project and because Chen Moore has the familiarity with the Utility facilities, we thought it would be in the best interest of the Utility to use the same consultant that the Department of Public Works is using.

Chen Moore has done a fantastic job for the Utility, and I would therefore recommend, to this Board, that they would approve this, this request to allow consistency as we move forward through the CDBG project, from the Utility's perspective and the Department of Public Works perspective.

CHAIR PRO TEM HUBBARD: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem.

CHAIR PRO TEM HUBBARD: We., and I understand what you're saying about their familiarity with the Utility District, but the purpose of creating a, a rotation of companies was just that, so that we can have some checks and balances so that we can see are we getting, you know, the best bang for our buck, so that we can see, you know, companies that want to show and express more, if you will, local participation. So, if we continue with just one company, what will be the value in our...

EXECUTIVE DIRECTOR HORTON: Well, Madam Chair, I do under'...

CHAIR PRO TEM HUBBARD: Creating that list, that we should choose from?

EXECUTIVE DIRECTOR HORTON: Right. Madam Chair, I understand exactly what you're saying and at the next Board meeting of the Utility, I will be bringing forward the committee's recommendation for the five additional consultants to add to the list.

CHAIR PRO TEM HUBBARD: How many are on the list now that you have?

EXECUTIVE DIRECTOR HORTON: There were a total., I believe there were ten who competed, and we, we... I, I told the Board, back in December, that I would select five. And so, we, we narrowed it down to five. So, we've got the five names. We have to get all of the paperwork and what not done before I can bring it forward to the Board. So, the intent is to bring it before the Board at the July meeting, and move forward with that. But...

CHAIR PRO TEM HUBBARD: I must've misunder'..., I, I didn't catch how many is on the list as of now?

EXECUTIVE DIRECTOR HORTON: Oh, at, at the present time, we have C Solutions, we have BFA and we have Chen Moore.

CHAIR PRO TEM HUBBARD: Okay. Thank you.

EXECUTIVE DIRECTOR HORTON: Yes, ma'am.

BOARD MEMBER MILLER-ANDERSON: Okay. And... Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Board Member Miller-Anderson.

BOARD MEMBER MILLER-ANDERSON: And that would be my concern as well. You know, I mean, we know Chen Moore, they do pretty good work and they've been around for a while, but it just seems like all of the, the work is going to the same people over and over and over. And, you said that you have three currently. Have they been in the rotation already and we're just back to Chen Moore now?

EXECUTIVE DIRECTOR HORTON: They, they, they have been, but in this instance, I specifically selected Chen Moore only because they were also, or are also, the designers for the, for the roadway portion of this project. So, it, it, it really didn't make sense to have

two consultants on one project, we're using the same consultant that the Department of Public Works is using.

BOARD MEMBER MILLER-ANDERSON: How much more of a complication would it have been for someone else to do the work, that we're now trying to give...

EXECUTIVE DIRECTOR HORTON: Well, they...

BOARD MEMBER MILLER-ANDERSON: ...to Chen Moore?

EXECUTIVE DIRECTOR HORTON: ...would probably have to go out and do their own surveys, and, and do all the fill work necessary to understand what needed to be done in order to make the right adjustments, they would have to be brought up to speed on the design that the Department of Public Works is moving forward with and answer all those questions that they needed to have answered. Chen Moore had already moved forward with securing the permits from the Health Department for any water adjustments that we would need to have made in the project. And so, it just made sense to continue with them to complete the project out, and, and have it done within the timeframe that has been imposed on the Department of Public Works to finish this CDBG project.

BOARD MEMBER MILLER-ANDERSON: So, in..., it sounds like it would've never been in a rotation for anyone else, this kinda sounds like it was all kinda packaged up.

EXECUTIVE DIRECTOR HORTON: For this particular project, you're absolutely correct...

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR HORTON: ...Madam, Madam Board Member. The, the issue here is that we found out about this a couple of months ago and so we had to go the most expeditious route in order not to hold up the Department of Public Works in what they're trying to do in completing this project in the timeframe that had been given to them.

BOARD MEMBER MILLER-ANDERSON: So, in order to avoid these types of situation', would we ever get to a position where we're able to avoid just packaging these up? I know you said that this mighta been something that just came up but, you know, I don't wanna be in a situation, another situation where it just happened to come up and then we're having to pre'..., you know, package this up for somebody else again.

EXECUTIVE DIRECTOR HORTON: Yes.

BOARD MEMBER MILLER-ANDERSON: Because, you know, typically that's how...

EXECUTIVE DIRECTOR HORTON: The...

BOARD MEMBER MILLER-ANDERSON: ...stuff works, unfortunately.

EXECUTIVE DIRECTOR HORTON: Right.

BOARD MEMBER MILLER-ANDERSON: And, and so, even though we have this rotation model, we never really get to it because we get back into the same situation, 'Well, well, they already had this done,' or, you know..., so, it's kinda being disingenuous in saying that we're gonna do a rotation model and then we don't, because of the way it's set up. So, do you foresee us actually doing a rotation model, once we start moving forward?

EXECUTIVE DIRECTOR HORTON: Most [stammer], most definitely, Madam Board Member. The..., I've had conversations with the Department of Public Works talking about the importance of coordinating projects early on, even before we move into design of the project. Their project apparently had been designed for, for a period of time and had been on the shelf. It did not include the things that would need to be done for the Utility. I'm..., that, I don't have a problem with, it's just that we didn't have enough time in order not to slow their process down. So, we're trying to meet their timeframe, but the intent moving forward in all of the communications I've had with the Department of Public Works since I've been here, the intent is to make sure that we coordinate early on at the inception of the project, throughout the, the design and that way I can bring my consultants on. There may be an opportunity, if they have a consultant doing the design, that's also familiar with Utility work, that we use their consultant and pay them for it.

BOARD MEMBER MILLER-ANDERSON: Right. And, and that would be my hope is that we're able to forecast things a little better because a lot of times we're reacting instead of being proactive. And...

EXECUTIVE DIRECTOR HORTON: That is cor'...

BOARD MEMBER MILLER-ANDERSON: ...and that's where my issue always comes in at, 'cause it's almost like we're being forced to, you know, agree to something only because we're in a satiation and can't do anything about it, but I certainly have an issue with just, you know, continuing on with the same people over and over when we have other out there that we could share the wealth to.

Thank you.

CHAIRPERSON DAVIS JOHNSON: Mr. Horton, I, I believe that you have a consensus and a true direction from this contingency of Members, as it relates to how we want to see the rotation moving, how we want to make sure that we plan in advance so that this doesn't re'..., reoccur.

EXECUTIVE DIRECTOR HORTON: Yes.

CHAIR PRO TEM HUBBARD: One, one question, Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem.

CHAIR PRO TEM HUBBARD: Is.., are you still requiring local and minority participation in these instances?

EXECUTIVE DIRECTOR HORTON: I don't require...

CHAIR PRO TEM HUBBARD: Well, I mean, through Procurement? I know Procurement handles that but, I mean, is it still being required?

EXECUTIVE DIRECTOR HORTON: I'm not really sure how to answer that question because, first, I'm not the Director of Procurement, but I will tell you that I invite any consultant that work with me to consider local talent that's in the area.

CHAIRPERSON DAVIS JOHNSON: Okay.

CHAIR PRO TEM HUBBARD: Mhmm. That's good. Okay, thank you.

EXECUTIVE DIRECTOR HORTON: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Any further comment? Madam Clerk?

DEPUTY DISTRICT CLERK BURGESS: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: No.

DEPUTY DISTRICT CLERK BURGESS: Pro Tem Hubbard?

CHAIR PRO TEM HUBBARD: Yes.

DEPUTY DISTRICT CLERK BURGESS: Chair Davis Johnson?

CHAIRPERSON DAVIS JOHNSON: Yes.

DEPUTY DISTRICT CLERK BURGESS: That vote is 2-1, with Board Member Miller-Anderson dissenting.

[Pause]

END OF CONSENT AGENDA

CHAIRPERSON DAVIS JOHNSON: That is the end of our Consent Agenda.

CHAIRPERSON DAVIS JOHNSON: ANY PERSONS WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM, PLEASE FILL OUT A PUBLIC COMMENT CARD LOCATED ON THE TABLE DIRECTLY OUTSIDE OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF PRIOR TO THE ITEM BEING TAKEN UP BY THE BOARD OF DIRECTORS FOR DISCUSSION. MEMBERS OF THE PUBLIC WILL BE GIVEN THREE MINUTES TO SPEAK ON EACH REGULAR AGENDA ITEM. IN NO EVENT WILL ANYONE BE ALLOWED TO SUBMIT A COMMENT CARD AND SPEAK

ON AN AGENDA AFTER., AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM IS CONSIDERED.

AWARDS AND PRESENTATIONS

CHAIRPERSON DAVIS JOHNSON: Madam Clerk, do we have any awards and presentations?

DEPUTY DISTRICT CLERK BURGESS: No, ma'am.

PUBLIC HEARINGS

CHAIRPERSON DAVIS JOHNSON: Any public hearings?

DEPUTY DISTRICT CLERK BURGESS: No.

REGULAR AGENDA

COMMENTS FROM THE PUBLIC - Non Agenda Item Speakers (Three Minute Limitation)

CHAIRPERSON DAVIS JOHNSON: PUBLIC COMMENT SHALL BEGIN AT 7:30 P.M. UNLESS THERE IS NO FURTHER BUSINESS OF THE BOARD OF DIRECTORS WHICH, IN THAT EVENT, SHALL BEGIN SOONER. IN ADDITION, IF ANY ITEMS IS BEING CONSIDERED AT 7:30 P.M., THEN COMMENTS FROM THE PUBLIC SHALL BEGIN IMMEDIATELY AFTER THE ITEM HAS BEEN CONCLUDED. ANY PERSON WHO WOULD LIKE TO SPEAK DURING PUBLIC COMMENTS, PLEASE FILL OUT A PUBLIC COMMENT CARD LOCATED ON THE TABLE DIRECTLY OUTSIDE OF THE COUNCIL CHAMBERS AND GIVE IT TO THE STAFF BEFORE THE PUBLIC COMMENT SECTION IS ANNOUNCED.

ITEM NO. 3

CHAIRPERSON DAVIS JOHNSON: Regular Item No. 3.

DEPUTY DISTRICT CLERK BURGESS: RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, RESOLUTION AUTHORIZING THE PAYMENT OF SEVERAL OUTSTANDING INVOICES FOR SERVICES RENDERED IN THE AMOUNT OF \$13,724.90 FOR GRID ONE AND \$4,455.60 FOR CORE AND MAIN, AND AUTHORIZING FUTURE USE OF BOTH VENDORS UNTIL SUCH TIME THAT A PUBLIC SOLICITATION IS COMPLETED AND THE DISTRICT REQUESTS A NOT TO EXCEED AMOUNT OF \$50,000 FOR EACH VENDOR, AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO MAKE PAYMENT, ACCOUNT NUMBERS 411-1438-535-0-3405 FOR GRID ONE AND 411-1430-533-0-4606 FOR CORE AND MAIN AND PROVIDING AN EFFECTIVE DATE.

CHAIR PRO TEM HUBBARD: So moved.

BOARD MEMBER MILLER-ANDERSON: Second.

CHAIRPERSON DAVIS JOHNSON: It's been moved and properly second.

CITY MANAGER HOSKINS: Madam Chair, earlier when I read the account number, I think I said 14-11, and not fund 411, just to make that correction for the record.

CHAIRPERSON DAVIS JOHNSON: Thank you. Mr. Horton.

EXECUTIVE DIRECTOR HORTON: Thank you, Madam, Madam Chair.

Recently, we, we've had to remove an employee out of the District and, as a result, we had gone through their work area and came across these outstanding invoices for payment. Some of these go back as far as April. I think there's some as old as February in here. I've checked with Staff, Staff had signed and initialed off on these invoices and had given it to their supervisor who did not bring them forward for payment. We have received calls from at least one of the vendors inquiring as to when they would receive payment. One vendor had actually refused to provide services to us until they got paid. So, after reviewing these invoices with Staff, I'm convinced that all of the invoices provided are legit and, therefore, I recommend the Board give approval that we pay these invoices.

In addition to that, I'm also recommending that the Board allow the District to continue to utilize these two vendors until such time that we've had the opportunity to go out with a competitive process that can provide the services that these two vendors provide.

CHAIR PRO TEM HUBBARD: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem.

CHAIR PRO TEM HUBBARD: What., Mr. Horton, I'm trying to look quickly to see some of the services that these particular vendors are providing.

EXECUTIVE DIRECTOR HORTON: Yes.

CHAIR PRO TEM HUBBARD: And...

EXECUTIVE DIRECTOR HORTON: Yes. Grid one is an electrical contractor. We don't have an electrician within the District. We have electrical instrumentation techs, but we do not have electrici'.., certified electricians with either a journeyman's license, or a master electrician's license. And, and because of that, there is a need to utilize outside services for that. The same is true with Red Ex, which is a... [To another: Is a electric al provider?] Red Ex?

UNK: Yes.

EXECUTIVE DIRECTOR HORTON: Yes. Is also an electric al provider. So, when we can't get one, we go to the other. We try to rotate that, to meet the needs of the electrical failures that do occur at the lift stations throughout the area.

CHAIR PRO TEM HUBBARD: Okay. Thank you, sir.

EXECUTIVE DIRECTOR HORTON: Yes, ma'am.

BOARD MEMBER MILLER-ANDERSON: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: So, typically when these invoices come through, do they always come to us in this format? 'Cause I just don't recall seeing them in this manner, I guess.

EXECUTIVE DIRECTOR HORTON: You mean, you mean, do they come to the Board?

BOARD MEMBER MILLER-ANDERSON: Like this? In...

EXECUTIVE DIRECTOR HORTON: No, ma'am. They...

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR HORTON: ...do not.

BOARD MEMBER MILLER-ANDERSON: And they're coming to us because they're old?

EXECUTIVE DIRECTOR HORTON: Because they're outstanding...

BOARD MEMBER MILLER-ANDERSON: Okay. Would...

EXECUTIVE DIRECTOR HORTON: ...I guess is...

BOARD MEMBER MILLER-ANDERSON: ...we have any..., like Board Member Hubbard was just asking, what job is it associated with, would we have had that type of backup to go along with it so, I mean, how do I know we're just.., we don't just have invoices?

EXECUTIVE DIRECTOR HORTON: Well, on, on the invoices, it actually states what lift stations they've gone to.

UNK: Mhmm.

EXECUTIVE DIRECTOR HORTON: If you look at...

BOARD MEMBER MILLER-ANDERSON: Well, just..., because I just got it, I, I can honestly tell you, I have not had a chance to look at it because I just got it...

EXECUTIVE DIRECTOR HORTON: It does have...

BOARD MEMBER MILLER-ANDERSON: ...right before the meeting.

EXECUTIVE DIRECTOR HORTON: ...the locations that they provided services to.

BOARD MEMBER MILLER-ANDERSON: And we needed to approve this tonight because?

EXECUTIVE DIRECTOR HORTON: They're outstanding. We, we should be paying invoices within thirty to forty-five days of receipt. This particular invoice that I'm looking at...

BOARD MEMBER MILLER-ANDERSON: Right. I see...

EXECUTIVE DIRECTOR HORTON: ...right now....

BOARD MEMBER MILLER-ANDERSON: ...the stamp it says April...

EXECUTIVE DIRECTOR HORTON: Well, that's when we received it.

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR HORTON: Mhmm.

BOARD MEMBER MILLER-ANDERSON: Did you just get it together today? I mean, 'cause we just got it...

EXECUTIVE DIRECTOR HORTON: We...

CHAIRPERSON DAVIS JOHNSON: They found them in the desk.

EXECUTIVE DIRECTOR HORTON: We...

BOARD MEMBER MILLER-ANDERSON: Just today?

CHAIRPERSON DAVIS JOHNSON: Well, whenever...

EXECUTIVE DIRECTOR HORTON: We found them...

CHAIRPERSON DAVIS JOHNSON: ...they found them.

EXECUTIVE DIRECTOR HORTON: ...since, I guess it was Monday the 11th.

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR HORTON: When we found them. So, I., when, when, when Staff brought this to my attention, I felt that it would be imperative to bring it before the Board for approval because they are outstanding.

BOARD MEMBER MILLER-ANDERSON: And, and I, I'm okay with that, but I'm not okay with having gotten it right before I came up and not really able to look at it or, you know, speak with Finance, talk with you, get a little more information on it. I'm certainly in favor of paying people if they've done the work, but I think it's all but fair for me to have an opportunity to look through it and make sure that it's, it is legit. I mean, I don't think you would bring forth an invoice that's not, but just bringing invoices for me to just approve, I, I'm not comfortable with that. So...

EXECUTIVE DIRECTOR HORTON: Well, the invoices are serving as a backup to the requests.

BOARD MEMBER MILLER-ANDERSON: Right.

EXECUTIVE DIRECTOR HORTON: I'm, I'm, I'm, I'm telling you that these invoices shoulda been paid...

BOARD MEMBER MILLER-ANDERSON: I hear you. I heard you.

EXECUTIVE DIRECTOR HORTON: And, and they were not.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR HORTON: So, now that we've passed the date, we really do need to get these invoices...

BOARD MEMBER MILLER-ANDERSON: Right. But like I., you know, I've said probably a thousand times, I, I just don't like being put in a position where something is shoved in my face a couple minutes, and then I need to go ahead and vote on it. You know, I have not had a chance to really look at this. You know? I, I haven't, because I just got it right.., literally, ten minutes before the meeting. And so, I just, you know, just wonder if we could've gotten it a few days ago so that we could've had it to look at, but I, like I said, I, I cannot, I can't vote on this tonight because I'm not ready to do that because I just [pause], I don't know the facts right now.

CHAIR PRO TEM HUBBARD: Madam...

CHAIRPERSON DAVIS JOHNSON: Two things.

EXECUTIVE DIRECTOR HORTON: Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Are you budgeting an electrician in the upcoming budget?

EXECUTIVE DIRECTOR HORTON: [Stammer], I actually have an electrician in the present budget that we are interviewing for.

CHAIRPERSON DAVIS JOHNSON: Okay.

EXECUTIVE DIRECTOR HORTON: We have not made a selection as of yet. Well, oh, they're going through the background check as we speak.

CHAIRPERSON DAVIS JOHNSON: Okay.

EXECUTIVE DIRECTOR HORTON: So, yeah. We, we do have an electrician in the present budget. Once they're vetted through HR from a background perspective, we hope to have them onboard soon.

CHAIRPERSON DAVIS JOHNSON: Let me acknowledge that the Mayor's on the dais.

Second question, can we.., because I agree, I just want an opportunity just to review, if we could place this.., if we.., do we have enough time... I don't think we have enough time to place it on the Agenda.., if we called a special meeting on the Agenda for the 20th? I don't believe we have...

BOARD MEMBER MILLER-ANDERSON: If you do it earlier...

CHAIRPERSON DAVIS JOHNSON: ...sufficient time...

BOARD MEMBER MILLER-ANDERSON: ...before the meeting.

CHAIRPERSON DAVIS JOHNSON: I'm saying.., yeah. I'm thinking 5:30, so that we.., and we can just address this one item. But, as it relates to notices, there's sufficient time to notice a special meeting of the...

BOARD MEMBER MILLER-ANDERSON: 20...

CITY MANAGER HOSKINS: You're, you're...

CHAIRPERSON DAVIS JOHNSON: ...Utility District?

CITY MANAGER HOSKINS: ...saying for Wednesday?

CHAIRPERSON DAVIS JOHNSON: Mhmm.

BOARD MEMBER MILLER-ANDERSON: That's twenty-four hours, right?

CITY MANAGER HOSKINS: Forty-eight hours.

CHAIR PRO TEM HUBBARD: Forty-eight.

CHAIRPERSON DAVIS JOHNSON: I mean, forty-eight.

CHAIR PRO TEM HUBBARD: [Inaudible].

BOARD MEMBER MILLER-ANDERSON: One minute it's twenty-four, now it's forty-eight.

CHAIRPERSON DAVIS JOHNSON: No. Because it'... [Chuckle].

CHAIR PRO TEM HUBBARD: [Inaudible].

BOARD MEMBER MILLER-ANDERSON: They've done it in twenty-four before.

CHAIRPERSON DAVIS JOHNSON: That's a...

EXECUTIVE DIRECTOR HORTON: Madam, Madam Ch'...

CHAIRPERSON DAVIS JOHNSON: The forty-eight is [inaudible].

EXECUTIVE DIRECTOR HORTON: Madam Chair? Forty-eight hours would be 7:35, so...

BOARD MEMBER MILLER-ANDERSON: It's been twenty-four...

EXECUTIVE DIRECTOR HORTON: ...you could actually break the City Council meeting at 7:35 to address this issue, which would be the forty-eight period.

CHAIRPERSON DAVIS JOHNSON: We can, yes.

[Inaudible dais comment]

CHAIRPERSON DAVIS JOHNSON: We can a'..., we can adjourn as the City Council and, and convene as the Utility's District Board to take up this one Item.

EXECUTIVE DIRECTOR HORTON: Yes, ma'am.

CITY MANAGER HOSKINS: And one...

[Inaudible dais comment]

CITY MANAGER HOSKINS: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Madam Manager.

CITY MANAGER HOSKINS: As it relates to the grid invoice, the Utility District..., another reason they were brining it forward is that, you know, our threshold is \$25,000, so if we were to pay, it would put us over the threshold of the \$25,000, if we pay the balance of those invoices. So.

CHAIRPERSON DAVIS JOHNSON: But then...

EXECUTIVE DIRECTOR HORTON: By, by...

CHAIRPERSON DAVIS JOHNSON: ...I would...

EXECUTIVE DIRECTOR HORTON: ...by, by procurement rule we can go up to \$50,000, but the threshold had been set at \$25,000 for the City Manager. So, in this, we're requesting that the City Manager be given authority up to \$50,000.

CHAIRPERSON DAVIS JOHNSON: Okay. So, I think it would be appropriate to place it on the Agenda for the 20th where we can adjourn and convene and reconvene. If my colleagues are in agreement with that?

CHAIR PRO TEM HUBBARD: Yes. One comment, Madam Chair.

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem.

CHAIR PRO TEM HUBBARD: I., whether we., when we vote on it or take this up at 7:30, I still understand that what we're gonna have to do is trust that Staff has gone...

CHAIRPERSON DAVIS JOHNSON: Absolutely.

CHAIR PRO TEM HUBBARD: ...back after securing these and making sure that they were certified for payment, that the work was done. So, in listening to you, I heard what you said and I'm comfortable with the fact that you've reviewed these and that the services were provided, and that that is why you're recommending them for payment because, even as far., even when Wednesday comes, I will still have to rely on the fact that, as you said, you've gone through them, you've seen that the work was done, and you, you're now certifying them for payment. So, either way, it's...

CHAIRPERSON DAVIS JOHNSON: Mhmm.

CHAIR PRO TEM HUBBARD: ...okay with me.

CHAIRPERSON DAVIS JOHNSON: Mhmm. I...

EXECUTIVE DIRECTOR HORTON: Thank you.

CHAIRPERSON DAVIS JOHNSON: ...have to say, I, I agree but for consistency sake, we have said, you know, don't bring Items, you know, that we've not had an opportunity to review. So, I., although I have full confidence in your ability to, to verify that these are proper, I just believe that for consistency sake, we should, we should remain consistent with that.

So, with that being said, do we need a motion or direct'., direction to Staff is sufficient?

MAYOR MASTERS: Madam Chair?

DEPUTY DISTRICT CLERK BURGESS: [Inaudible] what time would you like again? 7:30?

UNK: 7:30.

CHAIRPERSON DAVIS JOHNSON: 7:30.

MAYOR MASTERS: Madam Chair, I have a question.

CHAIRPERSON DAVIS JOHNSON: I'm waiting for an answer, Mr. Mayor, and I'll be right to you.

MAYOR MASTERS: Okay. [Inaudible].

DEPUTY DISTRICT CLERK BURGESS: I'm sorry? [Inaudible].

CHAIRPERSON DAVIS JOHNSON: 7:30?

DEPUTY DISTRICT CLERK BURGESS: 7:30, yes.

CHAIRPERSON DAVIS JOHNSON: Yes. Mr. Mayor.

MAYOR MASTERS: Yes. Thank you, Madam Chair. The forty-eight hours, Ms. Jackie, does that apply through the, the entire City for, like, City Council notices, special meetings, is it forty-eight?

DEPUTY DISTRICT CLERK BURGESS: We really try to, Mayor, because, like, if I put it out tonight, once we leave this meeting, I mean...

MAYOR MASTERS: Yeah. But that's, that's not what I'm asking. I'm not asking what you, what, what you're trying [stammer], I respect that. I mean, certainly you probably want even seventy-two, would even be better than forty-eight, but the Ordinance or what you have on the books, is not twenty-four hours?

DEPUTY DISTRICT CLERK BURGESS: I don't believe it actually says twenty-four hours?

MAYOR MASTERS: You don't know?

DEPUTY DISTRICT CLERK BURGESS: I will look it up for you, Mayor [inaudible].

MAYOR MASTERS: I, I would like for you to look it up be'.., because, when I've called special meetings in the past, under previous administrations, I was always told that legally, that we had to give a twenty-four notice. If that's changed, I need to know, because there will be times that I, I need to because I will be calling special meetings from time to time. I know conveniently, and I know what you would like, and I'm sure that's, you know, something that would make it better and easier. But I would like to know, Mr. Degraffenreidt, if you know, legally, the twenty-four hours, please let me know. But I wanna go back. You can...

DISTRICT ATTORNEY DEGRAFFENREIDT: The law says in a reasonable time.

BOARD MEMBER MILLER-ANDERSON: Mm.

MAYOR MASTERS: It does not specify?

DISTRICT ATTORNEY DEGRAFFENREIDT: [Inaudible].

BOARD MEMBER MILLER-ANDERSON: It doesn't.

DISTRICT ATTORNEY DEGRAFFENREIDT: And they've been using twenty-four house or forty-hours...

UNK: Right.

DISTRICT ATTORNEY DEGRAFFENREIDT: ...for convenience...

MAYOR MASTERS: But they have used twenty-four hours in the past?

BOARD MEMBER MILLER-ANDERSON: Mhmm.

MAYOR MASTERS: You just said that. They're both...

DISTRICT ATTORNEY DEGRAFFENREIDT: [Inaudible]

MAYOR MASTERS: ...they've used both.

DISTRICT ATTORNEY DEGRAFFENREIDT: ... I've known them to use...

UNK: Yeah.

DISTRICT ATTORNEY DEGRAFFENREIDT: ...twenty-four hours in my past, I don't know if it's been here.

MAYOR MASTERS: Yeah. I know in, in my past it's been twenty-four, they've used it too. But I wanna get to..., that's not that.., it's not a deal breaker. It is what it is. It either is twenty-four, forty-eight or a reasonable time. I thought that I had seen twenty-four hours, so, we'll clear this up as soon as she finds it. Or a reasonable time.

DEPUTY DISTRICT CLERK BURGESS: It's, it's the reasonable time, Mayor, but the reason we have been trying to use the forty-eight hours, as I said, we do it this late, you're still only giving a person, you know...

MAYOR MASTERS: Right.

DEPUTY DISTRICT CLERK BURGESS: A small amount of time to really know. 'Cause the notice is gonna be posted outside...

MAYOR MASTERS: And you also have to...

DEPUTY DISTRICT CLERK BURGESS: ...the...

MAYOR MASTERS: ...do the newspaper thing too?

DEPUTY DISTRICT CLERK BURGESS: No. We don't have to do the newspaper.

MAYOR MASTERS: You don't have...

DEPUTY DISTRICT CLERK BURGESS: Not for this.

MAYOR MASTERS: Not for this?

DEPUTY DISTRICT CLERK BURGESS: No.

MAYOR MASTERS: Okay. Mr., and I wanna ask you, um, I came in a little late, did you explain why the invoices were lost? You said you found them. Is there a reason why they were lost in the first place?

EXECUTIVE DIRECTOR HORTON: They weren't actually lost, they were...

MAYOR MASTERS: You said you found them.

EXECUTIVE DIRECTOR HORTON: ...not known. They., we did find them. We found them on the desk of an employee who has been removed, and as we were going through the desk, we came across the invoices.

MAYOR MASTERS: So, it was that employee's duty and responsibility, had a fi'..., fiduciary obligation to make sure that it shoulda been passed on in a...

EXECUTIVE DIRECTOR HORTON: That...

MAYOR MASTERS: ...timely manner?

EXECUTIVE DIRECTOR HORTON: That is correct, sir.

MAYOR MASTERS: So, that leads to my next question, what can you do to, and I'm speaking for me, to assure me, as the Mayor of this City, that that should not, or maybe would not happen in the future, that we., nothing will be lost, but that, that's not a good word but overlooked...

EXECUTIVE DIRECTOR HORTON: I understand, [inaudible]...

MAYOR MASTERS: ...that we won't be in this situation again.

EXECUTIVE DIRECTOR HORTON: One of the things that we can do, is establish a log when the invoices come in...

MAYOR MASTERS: Mhmm.

EXECUTIVE DIRECTOR HORTON: ...and flag them electronically in the computer system, and give us a time certain when they need to come back through for processing and payment. We can do that electronically.

MAYOR MASTERS: And you think that's something that will be helpful [inaudible]...

EXECUTIVE DIRECTOR HORTON: I think it will be very helpful. It's just like when you send an email, you can actually flag an email...

MAYOR MASTERS: Okay.

EXECUTIVE DIRECTOR HORTON: ...and set a date time certain, you know?

MAYOR MASTERS: No. I understand, yeah. I just wanted to see what we were gonna put in place as a check and balance...

EXECUTIVE DIRECTOR HORTON: Yes.

MAYOR MASTERS: ...to make sure that doesn't happen again, that, that I am not put in this situation again.

Thank you, Madam Chair. Those, those are my concerns.

CHAIRPERSON DAVIS JOHNSON: Thank you for your concerns, Mr. Mayor.

[Chuckles]

MAYOR MASTERS: Although I heard some mumbling over there somewhere.

CHAIRPERSON DAVIS JOHNSON: No. You..., I don't believe you did.

MAYOR MASTERS: I'm hearing things.

CHAIR PRO TEM HUBBARD: But listen, let me say this, Madam Chair.

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem.

CHAIR PRO TEM HUBBARD: Just because we might be talking down here, it's, it's not always about you, so don't put so much importance on yourself.

MAYOR MASTERS: I didn't say it was about me. I said I heard some...

CHAIRPERSON DAVIS JOHNSON: Oh...

MAYOR MASTERS: ...mumbling.

CHAIRPERSON DAVIS JOHNSON: Point of order people. We..., we will stop that.

Thank you, Mr. Horton.

EXECUTIVE DIRECTOR HORTON: Thank you.

CHAIRPERSON DAVIS JOHNSON: So we will take this Item back up at 7:30 on Wednesday, June 20th. Thank you, sir.

PUBLIC COMMENT SHOULD BE RESTRICTED TO ISSUES, MATTERS OR TOPICS PERTINENT TO THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT. PLEASE BE REMINDED THAT THE BOARD OF DIRECTORS HAVE ADOPTED RULES OF DECORUM GOVERNING PUBLIC CONDUCT DURING OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE ENTRANCE OF THE COUNCIL CHAMBERS. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO, THE DISTRICT BOARD CHAIR PERSON MAY HAVE ANY DISRUPTIVE SPEAKER OR ATTENDEE REMOVED FROM THE PODIUM, FROM THE MEETING AND/OR THE BUILDING, IF NECESSARY. PLEASE GOVERN YOURSELVES ACCORDINGLY.

CHAIRPERSON DAVIS JOHNSON: Madam Clerk.

DEPUTY DISTRICT CLERK BURGESS: We have one card. Mr. Andrew Henderson.

MAYOR MASTERS: Good evening, Mr. Henderson. How are you tonight? Good to see you.

MR. A. HENDERSON: Just so I'm clear, it doesn't have to be on this Agenda.

CHAIRPERSON DAVIS JOHNSON: This is public comment.

MR. A. HENDERSON: Public comments, okay.

My, my public comment would be this, as I stated before, that I'm interested in running for District 5, so I haven't put my paperwork in yet, but I'm interested and I'm doing my homework.

CHAIRPERSON DAVIS JOHNSON: Okay. Well, this Utility Special District issues.

MR. A. HENDERSON: Yes.

CHAIRPERSON DAVIS JOHNSON: Okay.

MR. A. HENDERSON: These Special District issues. So, I'm just being clear. I wanna.., I don't want you think that I'm...

CHAIRPERSON DAVIS JOHNSON: Oh no, we're clear.

MR. A. HENDERSON: ...'cause the individual's not here, I don't want you to think I'm trynna backdoor him or whatever. So.., but, it has nothing to do with him, but I just wanted to be clear and state my, my point.

My point being is this, as I go around I talk to individuals and let them know my intent. One of the biggest issues I have out, is the Utilities, the water. And, so I took it upon myself to get the bond agreement, and one of the issues I found, I do not want to forgive the water usage at all, that's not what my, my point is here. But I do see a, a, a way in which there could be a resolution to some of the homeowners, and I found that in Section 429, of no free service. And it says there:

Unless otherwise provided by the law, District will not render a cause to be rendering any free service of any nature by the system or any part thereof, nor will any preferential rates or charges be established for users of the same class in the District or the City. Any department, agency, instrumentality, officer, employee thereof shall avail itself of the system or services provided by the system any part thereof, the same rates, fees or charges applicable to the other customers receiving like services under similar circumstances shall be charged to the District or the City, and any such department, agency, instrumentality, officer or employee thereof, provider, however, this section shall not effect any rights of a person, firm or corporate'.., corporation under preexisting arguments.., excuse me agreements or contacts. Such charges shall be paid as they are [inaudible]. The District and the City, the [inaudible] shall transfer the legal availability resources sufficient monies, to pay charges, the revenue, services deemed to revenue derived from the system.

I read through that pretty fast 'cause of my time, but here's what I, I want to bring out to you:

Notwithstanding any foregoing, the District may from time to time, establish different classes, subclasses with the respect to the rates and charges provided by the District finds a rational basis, such classes or subclasses which would further help.., further the health, welfare, safety of residents of the City or users of the system.

I just ask the Board to consider not to forgive, but there's some fines and there's some charges that, if we got together as a City.., and the, and the constituents are talking to me, Mr. Mayor, and saying to me that, how do we find a way to move our City forward because we have a lot of buildings that are run down. A lot of the issue is water, and I don't wanna forgive it, 'cause we have a bond agreement and we can't do that but there's gotta be some way, written in here, that we can make an agreement with someone whether they get put on a payment plan, or we create a...

[Timer]

MR. A. HENDERSON: ...subclass, or a class to actually help out individuals.

That's all I wanted to state. [Inaudible].

MAYOR MASTERS: [Inaudible] understand.

MR. A. HENDERSON: Alright. Thank you.

CHAIRPERSON DAVIS JOHNSON: Thank you, Mr. Henderson.

DEPUTY DISTRICT CLERK BURGESS: That's the only card we had, Madam Chair.

CHAIRPERSON DAVIS JOHNSON: Alright.

DISCUSSION BY THE EXECUTIVE DIRECTOR OF THE UTILITY SPECIAL DISTRICT OR THE CITY MANAGER

CHAIRPERSON DAVIS JOHNSON: Discussion by the Executive Director of the Utility Special District.

EXECUTIVE DIRECTOR HORTON: Madam Chair, I, I think I'm gonna pass tonight.

CHAIRPERSON DAVIS JOHNSON: Okay. Madam City Manager.

CITY MANAGER HOSKINS: None.

STATEMENTS BY THE DISTRICT BOARD

CHAIRPERSON DAVIS JOHNSON: Statements by the District Board, starting with the Mayor.

MAYOR MASTERS: None.

CHAIRPERSON DAVIS JOHNSON: Chair Pro Tem.

CHAIR PRO TEM HUBBARD: One statement. Mr. Horton, I wanted to ask about the alley'..., the alleyways. I saw the email going back and forth. Now, Utility was cleaning the alleyways, and now I understand that's not something you think the Utility should be doing, and who do you think should be doing it? And..., so, can you shed some light on that for me please?

EXECUTIVE DIRECTOR HORTON: Yes, ma'am. I'll be happy to do so. The Utility..., the rates that are paid to the Utility are for specific uses, to draw, treat and distribute the water in the distribution system are to collect the wastewater that is generated in the area and transport that to the ECR. The alleyways, the easements are all a general fund related issue. The team that I have to go in and assist the maintenance group in maintaining the collection and/or distribution system, will go in to clear that area for the purposes of maintain the infrastructure. They also participate in the digging of the holes and things of this nature. When we use them strictly for maintenance of an alleyway, or

maintenance of an easement, it takes away from those resources needed to maintain the infrastructure. If we have a spill, they assist in the spill. They, they, they do all of that type of work, we just do not have the resources, nor is it a Utility type function to maintain a general fund related item, whether it's an alleyway or an easement.

CHAIR PRO TEM HUBBARD: Let me say..., let me ask you this. So, you're saying the group, or the gentlemen that are providing the services in that..., in the alley, that's where they provide their services?

EXECUTIVE DIRECTOR HORTON: No. I think what has occurred over the years, is that there has been a title given to the group called, 'easement...' What is it? Easement or? Or, what are they called?

CITY MANAGER HOSKINS: Maintenance crews, easement..., easement crews.

EXECUTIVE DIRECTOR HORTON: They were called easement crews...

CHAIR PRO TEM HUBBARD: Canal and easement...

EXECUTIVE DIRECTOR HORTON: ...but they're actually, they're actually maintenance workers to assist whether they're, they're in the streets on a Utility, in the alleyway on a Utility, and an easement on a Utility. Wherever the work is needed, they assist in that regard.

CHAIR PRO TEM HUBBARD: Okay. Stop right there. So, if they are going to perform their duty, they're going to have to make sure that the alleyways are clear in order to perform that..., their duty. We've already agreed that one thing we don't have the extra bodies or the Staff, if you will, for Public Works to take on that..., on, on, on that role. What burden is taking place that..., what are we gonna do? Abandon cleaning the alleyways now?

EXECUTIVE DIRECTOR HORTON: I'm not suggesting that the City abandon anything. I'm just suggesting that the Utility cannot participate in that function, because the funds that are used to pay their salaries and what not are specific to the maintenance of the collection and distribution systems.

CHAIR PRO TEM HUBBARD: And Mr., Mr. Horton, I hear ya, and I understand you, but in order for them to do their work and provide the services, they have to make sure the alleyway is clean so they can get there to do their..., to provide their services. Some..., they..., we... The alleyways have to be cleaned.

EXECUTIVE DIRECTOR HORTON: Whenever there is a need to get in the alleyway or easement, and it needs to be cleaned or cleared in order to perform that function, that is true. The Utility..., the, the Utility Special District is just like any other Utility that may exist in the alleyway or the easements. You have not only water and sewer, you have gas, you have telephone, you have other cable services that utilize those pathways. To say that you want to impose that on the Utility..., now, the, the District Board can, can define or, or direct the Utility to do whatever, but to this date, I've not read or found

anywhere, where there has been direction from this Board, that the, the Staff be utilized simply for maintaining easements and/or alleyways. That crew is specific to the maintenance of the infrastructure of the Utility.

CHAIR PRO TEM HUBBARD: Not just, not just simply for, Mr. Horton, is not what I, what I'm saying. What I'm saying is, we have residents, we have a need. While gas is back that, while FP&L, other people are back there, you oftentimes see Asplon and some people come back to, to trim in those alleyways when it gets on the, on the lines, and things, if you will. Sometimes, if we call FP&L, they will send out a special order and they will trim them from the lines, if you will. But, we cannot just sit and let those alleyways become overgrown and I, I think that it is..., if it's a practice that the Utility has been doing in addition to what, to what they were doing before, I don't..., we don't have any other department or Staff...

CHAIRPERSON DAVIS JOHNSON: [Inaudible].

CHAIR PRO TEM HUBBARD: ...that can do it. We don't have enough people in Public Works. As you pointed out to me the other day that Public Works is limited in what..., in, in what they can do now with a small group that, that they have over there, but if it's a function that the Utility District has been able to carry out, I just don't see why we, why we need to, to stop that because we..., in the meantime, until we figure this out, those alleyways have to be maintained. I don't..., we're, we're, we're now embarking on a, a venture to clean up some of the garbage and the trash over the City to make the City look more pleasing and just to blatantly stop it, especially through a rainy season like this, I think we, we, we've got to figure it out, and I think that until we figure it out, I think the Staff needs to continue to do it. It's not something that we can't discuss and come up and, you know, I mean, come up with solutions and ideas for, but we, we just can't abandon the alleyways.

EXECUTIVE DIRECTOR HORTON: Well, Madam, Madam Board Member, if I may? If it's the pleasure of this Board to direct the District to maintain alleyways and easements, you can do so. As I've stated, there has been no indication that there has been any direction from this governing body to have the Utility to do so. This is a general fund function. I just wanna point that out. This is a general fund function, but if this Board [stammer], so chooses to direct the District to maintain alleys and easements...

CHAIR PRO TEM HUBBARD: When you say it's a general fund function...

EXECUTIVE DIRECTOR HORTON: Yes.

CHAIR PRO TEM HUBBARD: ...you need..., you need more money in order to provide that service, is what you're saying? That we need to provide money from the general fund to provide that service?

EXECUTIVE DIRECTOR HORTON: No. I, I would suggest that you provide the additional dollars to Public Works...

[Inaudible dais comment]

EXECUTIVE DIRECTOR HORTON: ...so that they could provide the service.

CHAIR PRO TEM HUBBARD: So they..., well, that's, I mean, that's fine. Public Works...

EXECUTIVE DIRECTOR HORTON: Right.

CHAIR PRO TEM HUBBARD: ...or, I shouldn't've said you, but you're saying, when you say it's a general fund function...

EXECUTIVE DIRECTOR HORTON: Yes.

CHAIR PRO TEM HUBBARD: ...you're saying dollars need to be allocated for that service, whether it be Public Works or, you know. And, and Public Works, I'm sure, can hire more Staff and provide the service, but we ne'..., it, it definitely needs to be done. We cannot stop in this rainy season and, and abandon those, those, those works, those alleyways. Until then, I think that we need to have them kept up and I think we can..., now is a great time. We're in the budget hearing and we can direct the [pause], when we get to Public Works, direct the Manager of Public Works to put that in, in their wish list.

BOARD MEMBER MILLER-ANDERSON: Madam Chair...

CITY MANAGER HOSKINS: Madam'...

BOARD MEMBER MILLER-ANDERSON: I know we're doing comment, but...

CHAIRPERSON DAVIS JOHNSON: We are in comment.

BOARD MEMBER MILLER-ANDERSON: Yeah. But I wanted to talk about this.

CHAIR PRO TEM HUBBARD: Go right ahead.

CHAIRPERSON DAVIS JOHNSON: Board Member Miller-Anderson.

MAYOR MASTERS: And I do too, when she gets done.

BOARD MEMBER MILLER-ANDERSON: So, it's been done for a while, right? We've been doing it? How were they being paid..., were they being paid extra to do it, up until this point when it stopped?

EXECUTIVE DIRECTOR HORTON: No, ma'am. The Utility funds have been used to pay the same people to, to do the work. And, when I learned of this, this is when I stopped it.

BOARD MEMBER MILLER-ANDERSON: So, but was it putting an extra burden on them to do this...

EXECUTIVE DIRECTOR HORTON: It was...

BOARD MEMBER MILLER-ANDERSON: ...particular function?

EXECUTIVE DIRECTOR HORTON: ...taking away from work that needed to be done related to the District.

BOARD MEMBER MILLER-ANDERSON: If we're going to bring this back or put it on the Agenda, you know, I would like to see a little more documentation, kinda, you know, breakdown what they do, their day... 'Cause now it sounds like we're getting ready to add more people possibly to Public Works to perform this function, or hire more people or it just seems like that's maybe the direction we're talking about going right now. And so, I would like to know how much of a burden this has been. You know, they've been doing it for the longest. I'm tryna figure out now what, what is the problem now, and, you know, just a little more documentation to support this, 'cause I don't see just, you know, adding more people over in Public Works just because we're saying it needs to be done when we've done the job over in the Utility District all this time, and you...

EXECUTIVE DIRECTOR HORTON: And you sacrificed work that needed to be done...

BOARD MEMBER MILLER-ANDERSON: And that's what I would like to see...

EXECUTIVE DIRECTOR HORTON: ...for the Utility District.

BOARD MEMBER MILLER-ANDERSON: ...what has been lacking because of that. That's all I have to say for that.

CHAIRPERSON DAVIS JOHNSON: Mr. Mayor.

MAYOR MASTERS: Yeah. I just wanted to say for the record, I 100% agree with Councilwoman Lynne Hubbard, I don't see any need to, to change anything. 'Been doing it all these years, it has been working, it has been.., there's been no.., there hasn't been any evidence that it has created a hardship or a problem for the Utility people to do it, that's number one. Number two, no one woke up one morning, out of the clear blue sky, and just made a decision without some authority. I would never suggest that, so if someone suggested that because you have seen it, haven't found it, does not necessarily mean that a directive has been given in the past by one of your predecessors or by management. But I, I think that the point is that until we can make any adjustments, if necessary, I, I concur and join the Co-Chair, Pro Tem in, in saying that this is a season that I don't think there needs to be any, any changes.

My other question is, Mr. Horton, when you decided to stop this, did you have any discussion with management?

EXECUTIVE DIRECTOR HORTON: Are you talking with the City Manager?

MAYOR MASTERS: Yes.

EXECUTIVE DIRECTOR HORTON: I did mention it to the City Manager that I was not.., that I was no longer going to maintain the easements, yes, I did.

MAYOR MASTERS: Okay.

CITY MANAGER HOSKINS: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Madam Manager.

CITY MANAGER HOSKINS: As it relates to that discussion, Mr. Horton, the Interim Public Works Director and myself had a lengthy discussion about it. Public Works was directed to start cutting the easements and since we were in the middle of preparing our bud'.., our budgets for Fiscal Year '19, they were instructed to look at, you know, how many guys it would, or maintenance workers, it would take to start cleaning the easements on the general fund side. So, those items are included in your documents that you received on Friday.

CHAIRPERSON DAVIS JOHNSON: Thank you.

CITY MANAGER HOSKINS: Those positions.

CHAIRPERSON DAVIS JOHNSON: I have a slightly different perspective on this. If Mr. Horton is saying to us that the work that was done was improperly being done, and, and because it was done by predecessors, does not necessarily make it the right thing to do. So, if we are going to make adjustments in how we handle, I am by no stretch of the imagination saying not to perform the service, I'm saying properly place the service where it should be, and we should continue to clean the alleyways. We've gotta get to a point where we allow our directors, especially we know that Mr. Horton has come in with a lot of challenges, and there a lot of things done in that Utilities District that were not necessarily the proper thing, and so, we have to believe that what you're saying, as it relates to the dollars and the services that were being expended in order to clean the alleyways, we have to make the proper adjustment to correct that error. In the interim I say, we have to continue, especially with the, the hurricane season and the rainy season, and we know that we have overgrowth, but we need to create that plan to properly place it. And I don't believe that, when we talk about the additional bodies for Public Works, that we're talking solely to clean those, those particular spaces, we're talking about other areas within the City. I know that as I travel through District 3, I see a lot of things that Public Works could be doing, and I'm sure that my colleagues can share my sentiments as it relates to the condition of the area and what should be done. So, as we discuss that for the budget, we certainly would be looking to include additional job duties, not just the cleaning of the alleyways for those additional positions.

BOARD MEMBER MILLER-ANDERSON: Madam Chair? And I, I can certainly agree with what you're saying , but I, I also on the flip side, think that we have to look at how management is, you know, distributing the work, overseeing the, the workers because, just because it's not getting done, doesn't mean that they're overworked, it may just be the oversight of them getting it done. So that's just the flip side of it. And, of course, that's, you know, just another way to look at it. I mean, if we need to hire the

additional people to get whatever it is we need to get done, I'm in favor of that, but I'm not in favor of bring on additional people just because it appears...

CHAIRPERSON DAVIS JOHNSON: Of course.

BOARD MEMBER MILLER-ANDERSON: You know what I mean?

CHAIRPERSON DAVIS JOHNSON: Of course.

BOARD MEMBER MILLER-ANDERSON: So, I just wanna be able to see what that looks like in terms of productivity and making sure that we really do need additional bodies. So, that's the end for me with that.

CHAIRPERSON DAVIS JOHNSON: Would that be your comment?

BOARD MEMBER MILLER-ANDERSON: Um...

CHAIRPERSON DAVIS JOHNSON: No, no?

BOARD MEMBER MILLER-ANDERSON: No. No.

CHAIR PRO TEM HUBBARD: The only, the only thing that I will, that I'll add to that is, Mr. Horton, I understand exactly what you were saying. My suggestion, comment to that is, if you're saying that it needs to.., that it should not have been coming out of the Utility District, that it should've been coming out of the general fund, but so far the.., your side had, had been taking care of it. What I say, while we look at it, while we look at where it needs to be and how.., make the move from the general fund to cover the expenses, even if it stayed in Uti'.., in the, in the District. But, the reason I brought up about the additional bodies was because, in our last meeting or in a previous conversation, it was stated then that the Public Works did not have the bodies to add that additional function. And, if the money is coming from the general fund to cover that function, I.., it would only be covered.., I, I can only see us.., that we're talking and referring to, to bodies, so I just suggest that we, we work it out, we figure it out, we present something and we just let the.., and in the meantime, let's keep them cleared so, you know, since we're in the middle of hurricane season.

Thank you, sir.

EXECUTIVE DIRECTOR HORTON: Madam Chair? Just, just so I'm clear with what has been requested, [stammer], Board Member Miller-Anderson is requesting information on the workload, both for the District personnel and the Public Works personnel, or just the District personnel?

BOARD MEMBER MILLER-ANDERSON: For both.

EXECUTIVE DIRECTOR HORTON: For both.

BOARD MEMBER MILLER-ANDERSON: I mean, if that falls within your purview. If not, it, it's directed to Ms. Hoskins...

EXECUTIVE DIRECTOR HORTON: We.., I...

BOARD MEMBER MILLER-ANDERSON: ... [inaudible]...

EXECUTIVE DIRECTOR HORTON: I can request it.

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR HORTON: And, and then, Madam Chair, I would need to just.., if it, if it's the pleasure of this Board, I just need you all to dire'... Because, you know, as your Executive Director, I have an obligation to the Board, but I also have an obligation as the Executive Director to the rate payers of the District, to ensure that the monies that we spend on specific.., to the Utility. So, if the Board wants to do direct this function, I just need the Board to do that tonight and we will move forward from there.

CHAIRPERSON DAVIS JOHNSON: Well, my, my position, as I stated, if you're saying to us that's an improper action, we need to pass it on to Public Works, Public Works needs to make the necessary adjustment to clean those alleyways out until such time as we can figure out what is proper with the dollars within the enterprise fund...

EXECUTIVE DIRECTOR HORTON: Mhmm.

CHAIRPERSON DAVIS JOHNSON: ...and what's proper within the general fund. Now, that's my position. I don't know where my colleagues stand.

CHAIR PRO TEM HUBBARD: My, to clarify my position, my position is that the Utility District continue to maintain the alleyways until we can get the funds from.., we move funds from the general fund to Public Works to be able to afford the services on the Public Works side.

UNK: Yeah.

MAYOR MASTERS: That's my position too.

BOARD MEMBER MILLER-ANDERSON: Well, I would like to know, is there [stammer], are we breaking the law by doing that? I sound like Mr. Davis now, is this legal or illegal to do that? Because, if we've been doing it for a while.., obviously, you know, I'm not gonna say everything that we've done in the past is always right, so I wanna.., I don't wanna... I wanna be very clear, I'm not just trying to do it because we've always done it, because it may have been incorrect or correct, but is there an issue.., what is the issue with continuing as we have done for a short period of time? And that would be for Mr. Degraffenreidt or Mr. Horton. I understood what you said, but, you know, I mean, I'm not going on record saying something that [chuckle] is clearly wrong, so...

EXECUTIVE DIRECTOR HORTON: I, I...

BOARD MEMBER MILLER-ANDERSON: ...don't put me in...

EXECUTIVE DIRECTOR HORTON: ...understand.

BOARD MEMBER MILLER-ANDERSON: ...that position.

EXECUTIVE DIRECTOR HORTON: I understand totally what, what you're saying...

BOARD MEMBER MILLER-ANDERSON: Uhuh.

EXECUTIVE DIRECTOR HORTON: ...Madam Board Member. I think, if Mr. Randy Sherman is here...

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR HORTON: ...who is...

[Inaudible comment]

EXECUTIVE DIRECTOR HORTON: ...the District's Finance Director, he can address it from the bond covenant...

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR HORTON: ...perspective.

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR HORTON: So, I would ask Mr. Sherman to come to the mic.

BOARD MEMBER MILLER-ANDERSON: Okay.

MAYOR MASTERS: And Madam Chair, while he's coming, I just wanna, wanna make...

CHAIRPERSON DAVIS JOHNSON: Mr. Mayor.

MAYOR MASTERS: Thank you. 'Just wanna make the point that the common practice is, is common practice. I think the point that Councilwoman Hubbard was making that they did it in the past because of the maintenance, they had to keep it up, and not something extracurricular activity. For lack...

EXECUTIVE DIRECTOR HORTON: I...

MAYOR MASTERS: ...of a better word.

EXECUTIVE DIRECTOR HORTON: ...I think I understand, Mr., Mr. Mayor.

MAYOR MASTERS: Thank you.

DISTRICT FINANCE DIRECTOR SHERMAN: Yeah. Good evening. Randy...

CHAIR PRO TEM HUBBARD: Good evening.

DISTRICT FINANCE DIRECTOR SHERMAN: ...Sherman...

BOARD MEMBER MILLER-ANDERSON: Good evening.

DISTRICT FINANCE DIRECTOR SHERMAN: ...Finance Director for Utility District.

And Mr. Horton is correct. You have to be very careful on how you're spending those Utility dollars, and that it is being spent for a Utility purpose. But I think, Mr. Mayor, you're correct, I think in the past, they have justified, rightfully or wrongfully [chuckle], they've justified it because Utility workers need access to those alleys to be able to get to the meters and get in and do whatever it is they need to do. So, I understand Mr. Horton's position, you know, in, in the position that he's taken. I don't know what other access needs to get to those alleys, and how you justify who's side. Maybe it's a shared cost at the end of the day. But you do have to be careful not to spend Utility District monies on what otherwise would be a general fund, you know...

[Chuckle]

[Inaudible dais comment]

DISTRICT FINANCE DIRECTOR SHERMAN: ...operation. So again, I think it's more than giving a directive this way or that way, it's what's the right way, who's responsibility really should it be. And again, maybe it's Public Works does the job, but again, the Utility District, you know, reimburses him for a portion of that because, again, the Utility workers do need access.

CHAIRPERSON DAVIS JOHNSON: So, bond...

DISTRICT FINANCE DIRECTOR SHERMAN: You just have to be...

CHAIRPERSON DAVIS JOHNSON: ...covenant...

DISTRICT FINANCE DIRECTOR SHERMAN: ...careful.

CHAIRPERSON DAVIS JOHNSON: So, you're saying bond covenant is very specific as to what it is that we should be spending dollars for and what we shouldn't, and your, your statement, right or wrong, bring pause to me because if it is wrong and it has been a continued practice, at what point do we discontinue the wrong process because it was a continued practice.

DISTRICT FINANCE DIRECTOR SHERMAN: Well again, I'm not sure it was wrong, I think they justified it...

CHAIRPERSON DAVIS JOHNSON: You said right or wrong.

DISTRICT FINANCE DIRECTOR SHERMAN: ...by the fact that they needed access.

CHAIRPERSON DAVIS JOHNSON: Right.

DISTRICT FINANCE DIRECTOR SHERMAN: Whether that's a good justification [chuckle] or not, I think is, is yet to be, you know, maybe determined. Again, I'm not sure what other access..., if, if Waste Management needs access to all those alleyways, and they've gotta go down there, and stormwater has to go down there, then maybe it's..., shouldn't all be Utility District. So again, maybe in the past they picked up 100% of the cost and they shouldn't've picked up 100% of the cost. How that ultimately was determined and when it was determined, I really don't know. But again, I support Mr. Horton in saying, if it's not Utility, he really should not, not..., he really shouldn't be..., just shouldn't pay for it. So...

BOARD MEMBER MILLER-ANDERSON: Okay.

DISTRICT FINANCE DIRECTOR SHERMAN: ...that's where that determination needs to be made.

BOARD MEMBER MILLER-ANDERSON: Okay. So, with that being said, then I'm comfortable temporarily continuing with the way that we've done, because of the justification for the Utility workers to gain access. What I would like though, is see if we can get a definite answer, whoever we need to contact and ask that specific question, and find out whether or not we need to be splitting the cost between the two, they should have it fully, Utility should have it fully. Maybe if we can get something in writing stating exactly what the definition is, or get more clarity on this so that we're not having to figure out if it's or wrong or whatever. Okay?

CITY MANAGER HOSKINS: Madam Chair?

CHAIRPERSON DAVIS JOHNSON: Madam Manager.

CITY MANAGER HOSKINS: You want a date by..., I there a timeline when you want this information back to you, or just right before...

CHAIR PRO TEM HUBBARD: The next meeting.

CHAIRPERSON DAVIS JOHNSON: Not the...

CITY MANAGER HOSKINS: June 20th?

CHAIRPERSON DAVIS JOHNSON: ...20th, the following meeting.

CITY MANAGER HOSKINS: You're talking about the July 18th meeting?

CHAIR PRO TEM HUBBARD: No. No, we have an'...

[Inaudible dais comments]

CITY MANAGER HOSKINS: July 18th meeting?

BOARD MEMBER MILLER-ANDERSON: Definitely before...

CITY MANAGER HOSKINS: Or is that...

BOARD MEMBER MILLER-ANDERSON: budget time, 'cause...

CITY MANAGER HOSKINS: Right.

BOARD MEMBER MILLER-ANDERSON: they need to...

CITY MANAGER HOSKINS: Okay.

BOARD MEMBER MILLER-ANDERSON: figure out... As soon as possible, I would say, because that would tie in with budget.

CITY MANAGER HOSKINS: Okay.

CHAIRPERSON DAVIS JOHNSON: Staff, Staff will come back to us. You've been given the directive, there's consensus, so Staff will bring that back to us in a timely manner, certainly before budget. But I don't want you to rush and err, as, as to rushing to provide the information. Because clearly, we want to know if the service is proper for the Utilities District to prov'.., to provide, and everything else that's been said up here tonight.

EXECUTIVE DIRECTOR HORTON: Madam Chair, if I may? What, what I will get for the Board, we.., I will get an opinion from the bond counsel...

UNK: Thank you.

EXECUTIVE DIRECTOR HORTON: on, on this Item. I will also get with Public Works and have them to identify their workload. They have people that are solely dedicated to this in certain areas. And we will look at what we are doing, because many of the meters have already been relocated to the front, on the street side. And, we don't sweep streets, but we still have services in the streets, that's a Public Works function...

CHAIRPERSON DAVIS JOHNSON: Mhmm.

EXECUTIVE DIRECTOR HORTON: to maintain the streets and what not. So, we will look at this and bring.., have this information ready for the July 18th meeting. I will ask Mr. Terrence Bailey to also be present at that meeting so he can address the Public Works side of it.

CHAIRPERSON DAVIS JOHNSON: Thank you, sir. Does that conclude your comment, Chair Pro Tem?

CHAIR PRO TEM HUBBARD: Yes, ma'am. Yes, ma'am.

CHAIRPERSON DAVIS JOHNSON: Board Member Miller-Anderson.

BOARD MEMBER MILLER-ANDERSON: With the.., can you just.., if you can give a little update on the H Avenue, east and west work. Is it still Utilities that's doing the work?

[Inaudible comment]

EXECUTIVE DIRECTOR HORTON: I'm gonna Mr. Leighton Walker to come up and give a status on that.

BOARD MEMBER MILLER-ANDERSON: Okay.

ASSISTANT EXECUTIVE DIRECTOR WALKER: Madam Chair, Board Members, good evening.

BOARD MEMBER MILLER-ANDERSON: Good evening.

CHAIRPERSON DAVIS JOHNSON: Good evening.

ASSISTANT EXECUTIVE DIRECTOR WALKER: Leighton Walker.

Regarding the project, there's still some Utilities work that needs to be done. Most of the water mains have been put down, most of the sewer has been rehabilitated or aligned. There are a few more tines for water mains that should shortly take place. I don't know the exact dates, I don't have them in front of me, but the City Engineer, who is the project manager, has those dates. But there's been communication on having that portion completed. Once that's completed, I think the rest of it should be the roadway repairs...

BOARD MEMBER MILLER-ANDERSON: Okay.

ASSISTANT EXECUTIVE DIRECTOR WALKER: close to that section.

BOARD MEMBER MILLER-ANDERSON: Okay. Alright. Thank you.

ASSISTANT EXECUTIVE DIRECTOR WALKER: You're welcome.

BOARD MEMBER MILLER-ANDERSON: And then the other question I had for Mr. Horton or Ms. Hoskins, is regarding the employee that was put on suspension. I know you said it would be about a week before the report is done. Have you completed the report?

EXECUTIVE DIRECTOR HORTON: I have completed my investigation and I provided the results of the investigation, along with my recommendation to the HR Director and cc'd the City Manager.

BOARD MEMBER MILLER-ANDERSON: Okay. Thank you.

CHAIRPERSON DAVIS JOHNSON: Madam...

DEPUTY DISTRICT CLERK BURGESS: [Inaudible].

CHAIRPERSON DAVIS JOHNSON: City Manager, you had no comments, right? That completes your comments?

BOARD MEMBER MILLER-ANDERSON: Yes.

CHAIRPERSON DAVIS JOHNSON: I have no comments.

DEPUTY DISTRICT CLERK BURGESS: I just wanna respond to the Mayor [inaudible]. According to the Government and Sunshine manual, reasonable notice required, it is saying [pause]. [Inaudible] comment]. It's just really saying reasonable notice is required. There's no real timeframe that they put to it. According to our Charter, Article II, Section 9, Meetings of City Council, the special meeting shall be called by the City Clerk, and that has no timeframe on there. So, Ms. Hall is preparing the notice for us tonight and it should be posted shortly.

CHAIRPERSON DAVIS JOHNSON: I think what may be helpful moving forward is, does the Clerk have her own internal policies and procedures?

DEPUTY DISTRICT CLERK BURGESS: I don't bel'.., believe so. We've been going by past practice and I know when Ms. Ward was there, she was actually doing the forty-eight hours because of the time.

CHAIRPERSON DAVIS JOHNSON: Mhmm.

DEPUTY DISTRICT CLERK BURGESS: At night, if you have a meeting at 10:00 at night, and you're saying, you know, twenty-four hours, no one's really gonna see the, the notice, it had been becoming a problem so she tried to stick to the forty-eight hours, but if Council wanted to change it, it's fine but we normally just try to stick to that. At least we have a good base notice.

CHAIRPERSON DAVIS JOHNSON: Whatever the notice is going to be, it needs to be consistently stated and applied. So, if we're going to go with forty-eight hours, we're going to go with forty-eight hours and that needs to be documented somewhere so that we don't have this question moving forward.

I have no further comments

ADJOURNMENT

CHAIRPERSON DAVIS JOHNSON: There being no further business, we stand adjourned.

[Gavel]

[End of video/audio]

City Employees, Public Speakers and Others

DISTRICT DEPUTY CLERK JACQUELINE BURGESS

DISTRICT DEPUTY CLERK BURGESS

ANDREW HENDERSONMR. A. HENDERSON

APPROVED:

TONYA DAVIS JOHNSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

LYNNE L. HUBBARD
CHAIR PRO TEM

KASHAMBA MILLER-ANDERSON
BOARDMEMBER

JULIA A. BOTEL, Ed.D
BOARDMEMBER

TERENCE D. DAVIS
BOARDMEMBER

MOTIONED BY: _____

SECONDED BY: _____

L. HUBBARD _____

K. MILLER-ANDERSON _____

T. DAVIS JOHNSON _____

J. BOTEL _____

T. DAVIS _____

DATE APPROVED: JULY 16, 2018