

**UTILITY SPECIAL DISTRICT  
BOARD OF DIRECTORS MEETING  
October 15, 2018  
6:00 p.m.**

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

BOARD CHAIRPERSON TONYA DAVIS JOHNSON – DISTRICT 3  
CHAIRPERSON DAVIS JOHNSON

CHAIR PRO TEM LYNNE L. HUBBARD DISTRICT 1 .CHAIR PRO TEM HUBBARD

BOARD MEMBER KaSHAMBA MILLER- ANDERSON – DISTRICT 2  
BOARD MEMBER MILLER-ANDERSON

BOARD MEMBER JULIA BOTEL DISTRICT 4 .....BOARD MEMBER BOTEL

BOARD MEMBER TERENCE DAVIS DISTRICT 5 .....BOARD MEMBER DAVIS

MAYOR THOMAS MASTERS, *Ex Officio* Member .....MAYOR MASTERS

CITY MANAGER KAREN HOSKINS..... CITY MANAGER HOSKINS

EXECUTIVE DIRECTOR OF UTILITY WILLIE HORTON  
EXECUTIVE DIRECTOR HORTON

ASSISTANT EXECUTIVE DIRECTOR LEIGHTON WALKER  
ASSISTANT EXECUTIVE DIRECTOR WALKER

DISTRICT CLERK CLAUDENE ANTHONY ..... DISTRICT CLERK ANTHONY

DISTRICT ATTORNEY ANDREW DEGRAFFENREIDT  
DISTRICT ATTORNEY DEGRAFFENREIDT

DISTRICT FINANCE DIRECTOR RANDY SHERMAN  
DISTRICT FINANCE DIRECTOR SHERMAN

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<sup>1</sup> List of Public Comment Speakers and Others on Page 43

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
UTILITY SPECIAL DISTRICT MEETING MINUTES  
MONDAY, OCTOBER 15, 2018 AT 6:00 P.M.**

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

**CALL TO ORDER**

**CHAIRPERSON DAVIS JOHNSON:** Good evening. I'd like to call the Utility Special District Board of Directors Meeting of Monday, October 15<sup>th</sup> to order.

**ROLL CALL**

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

**DISTRICT CLERK ANTHONY:** Chairperson Tonya Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Here.

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

**BOARD MEMBER MILLER-ANDERSON:** Present.

**DISTRICT CLERK ANTHONY:** Board Member Julia Botel?

**BOARD MEMBER BOTEL:** Here.

**DISTRICT CLERK ANTHONY:** Board Member Terence Davis?

**BOARD MEMBER DAVIS:** Here?

**DISTRICT CLERK ANTHONY:** City Manager Karen Hoskins?

**CITY MANAGER HOSKINS:** Here.

**DISTRICT CLERK ANTHONY:** Executive Director Willie Horton?

**EXECUTIVE DIRECTOR HORTON:** Here.

**DISTRICT CLERK ANTHONY:** District Clerk Claudene Anthony is present. District Attorney Andrew Degraffenreidt?

**DISTRICT ATTORNEY DEGRAFFENREIDT:** Here.

**DISTRICT CLERK ANTHONY:** District Finance Director Randy Sherman?

**DISTRICT FINANCE DIRECTOR SHERMAN:** Here.

**DISTRICT CLERK ANTHONY:** You may proceed.

### **INVOCATION**

#### **PLEDGE OF ALLEGIANCE**

**CHAIRPERSON DAVIS JOHNSON:** If we would please stand for a moment of silence followed by the Pledge of Allegiance led by Board Member Davis.  
[Moment of silence]

**BOARD MEMBER DAVIS:** Wanna pledge.

**ALL:** I pledge allegiance 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.

### **AGENDA APPROVAL**

#### **ADDITIONS, DELETIONS, SUBSTITUTIONS**

**CHAIRPERSON DAVIS JOHNSON:** Mr. Executive Director, are there any additions, deletions or substitutions?

**EXECUTIVE DIRECTOR HORTON:** No, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** Are there additions, deletions or substitutions by the Board?  
[Pause]

#### **DISCLOSURES BY THE BOARD OF DIRECTORS**

**CHAIRPERSON DAVIS JOHNSON:** Are there any...

**BOARD MEMBER DAVIS:** None.

**CHAIRPERSON DAVIS JOHNSON:** ...disclosures by the Board?

**BOARD MEMBER DAVIS:** No.

#### **ADOPTION OF AGENDA**

**CHAIRPERSON DAVIS JOHNSON:** Motion to adopt the Agenda?

**BOARD MEMBER BOTEL:** So moved.

**BOARD MEMBER DAVIS:** Second.

**CHAIRPERSON DAVIS JOHNSON:** It's been motioned and properly second.  
Madam Clerk.

**DISTRICT CLERK ANTHONY:** Board Member Davis?

**BOARD MEMBER DAVIS:** Yes.

**DISTRICT CLERK ANTHONY:** Board Member Botel?

**BOARD MEMBER BOTEL:** Yes.

**DISTRICT CLERK ANTHONY:** Board Member Miller-Anderson?

**BOARD MEMBER MILLER-ANDERSON:** Yes.

**DISTRICT CLERK ANTHONY:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DISTRICT CLERK ANTHONY:** Unanimous vote.

## **COMMENTS FROM THE PUBLIC ON CONSENT**

### **AGENDA (THREE MINUTE LIMITATION TOTAL)**

#### **CONSENT AGENDA**

**CHAIRPERSON DAVIS JOHNSON:** ALL MATTERS LISTED UNDER THIS ITEM  
ARE CONSIDERED...

[Pause]

**CHAIRPERSON DAVIS JOHNSON:** There are no Con'...

**DISTRICT CLERK ANTHONY:** No.

**CHAIRPERSON DAVIS JOHNSON:** Alrighty. So, I don't have to do that. Okay.

#### **MINUTES**

#### **RESOLUTIONS**

#### **END OF CONSENT AGENDA**

## **AWARDS AND PRESENTATIONS**

### **PUBLIC HEARINGS**

### **REGULAR AGENDA**

**CHAIRPERSON DAVIS JOHNSON:** Our regular Agenda.

1.

**DISTRICT CLERK ANTHONY:** A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING CONTRACT WITH JOHNSON-DAVIS, INC. OF LANTANA, FLORIDA COOPERATIVE PURCHASING AGREEMENT BID NO. WUD16-013 WITH PALM BEACH COUNTY FOR PIPELINE CONTINUING CONSTRUCTION CONTRACT 2016 FOR UTILITY INFRASTRUCTURE REPAIRS AND IMPROVEMENT SERVICES, AUTHORIZING THE UTILITY SPECIAL DISTRICT CHAIRPERSON AND THE DISTRICT CLERK TO EXECUTE THIS CONTRACT, AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM THE CONTRACT SERVICES SEWER ACCOUNT LINE ITEM 411-1438-535-0-3405 AT A COST NOT TO EXCEED \$500,000 ANNUALLY, AND PROVIDING AN EFFECTIVE DATE.

**BOARD MEMBER DAVIS:** So moved.

**BOARD MEMBER BOTEL:** Second.

**CHAIRPERSON DAVIS JOHNSON:** It's been motioned and properly second. Mr. Horton.

**EXECUTIVE DIRECTOR HORTON:** Thank you, Madam Chair. This particular contract is the contract that we first initiated back in 2017, the latter part of 2017 to meet our emergency point repair. We use this particular contract particularly when we have problems in areas like on E Avenue when the line is so deep, we don't have the equipment to make those types of repairs and we need to get it addressed immediately, Johnson and Davis is that contractor that we call upon to do this. This is a renewal of that agreement, and I encourage the Board to approve it.

**CHAIRPERSON DAVIS JOHNSON:** Are there any questions from the Board?

**BOARD MEMBER DAVIS:** No, ma'am.

**BOARD MEMBER MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Board Member Miller-Anderson, you're recognized.

**BOARD MEMBER MILLER-ANDERSON:** So, we didn't put it back out. We're just doing..., going ahead and offering them the renewal since they had the initial...

**EXECUTIVE DIRECTOR HORTON:** The...

**BOARD MEMBER MILLER-ANDERSON:** ...I mean, the additional time?

**EXECUTIVE DIRECTOR HORTON:** We, we didn't put it out the first time. What we did was, we did..., back then, we did the piggyback. This is a, a cooperative purchase agreement with the, the County of Palm Beach County.

**BOARD MEMBER MILLER-ANDERSON:** And, because we did a piggyback, we don't have to go back..., put it out this time?

**EXECUTIVE DIRECTOR HORTON:** No, ma'am. We're, we're using an existing contract with a sister agency.

**BOARD MEMBER MILLER-ANDERSON:** Are there..., are you aware of any others that are out there? That...

**EXECUTIVE DIRECTOR HORTON:** Aware of?

**BOARD MEMBER MILLER-ANDERSON:** Are they the only ones that perform this service?

**EXECUTIVE DIRECTOR HORTON:** No, ma'am. They're not.

**BOARD MEMBER MILLER-ANDERSON:** And we didn't wanna go back out because of what reason?

**EXECUTIVE DIRECTOR HORTON:** We just didn't. We took advantage of contracts that were already in place. With all that we've got going on in the District right now, this was the most expedient way for us to move forward to keep this going.

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

**CHAIRPERSON DAVIS JOHNSON:** Do we have any public comment cards?

**DISTRICT CLERK ANTHONY:** No, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** There being no further comments from the Board? Madam Clerk.

**DISTRICT CLERK ANTHONY:** Board Member Davis?

**BOARD MEMBER DAVIS:** Yes.

**DISTRICT CLERK ANTHONY:** Board Member Botel?

**BOARD MEMBER BOTEL:** Yes.

**DISTRICT CLERK ANTHONY:** Board Member Miller-Anderson?

**BOARD MEMBER MILLER-ANDERSON:** No.

**DISTRICT CLERK ANTHONY:** Chair Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DISTRICT CLERK ANTHONY:** That motion is approved with Board Member Miller-Anderson dissenting.

**CHAIRPERSON DAVIS JOHNSON:** Let the record reflect that Vice Chair Hubbard is now on the dais, and the Mayor is also on the dais.

2.

**DISTRICT CLERK ANTHONY:** A RESOLUTION OF THE UTILITY BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF'S RECOMMENDATION RELATING TO REQUESTS FOR RFQ NUMBER 948-18 FOR RADISE INTERNATIONAL, LC CONSULTING ENGINEERING INSPECTION SERVICES FOR WATER AND WASTEWATER, AUTHORIZING UTILITY DISTRICT CHAIRPERSON AND CITY CLERK TO EXECUTE THE AGREEMENT BETWEEN THE UTILITY DISTRICT BOARD AND RADISE INTERNATIONAL, LC, AND AUTHORIZING THE UTILITY DISTRICT FINANCE DIRECTOR TO MAKE SUBSEQUENT PAYMENTS AFTER WORK AUTHORIZATIONS HAVE BEEN ISSUED AND PROVIDING AN EFFECTIVE DATE.

**CHAIRPERSON DAVIS JOHNSON:** Is there a motion?

**BOARD MEMBER DAVIS:** So moved.

**CHAIR PRO TEM HUBBARD:** Second.

**CHAIRPERSON DAVIS JOHNSON:** It's been motioned and properly second. Mr. Horton.

**EXECUTIVE DIRECTOR HORTON:** Thank you, Madam Chair. This is a Riviera Beach firm that will wrap up and complete the inspection group that we had talked about earlier. They will provide inspections. This is all they're gonna do for us, is to provide inspection services on construction projects as we move forward.

**BOARD MEMBER BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Any questions? Board Member Botel, you're recognized.

**BOARD MEMBER BOTEL:** I'm curious as to why the first [stammer], what I'm looking at.., at the score of the, the rankings. The first firm got 122 points, and the firm we're choosing got 94.8, which is almost a 28 point difference.

**EXECUTIVE DIRECTOR HORTON:** It's the first four on the list. So, the first three have already been.., you've already approved the first three.

**BOARD MEMBER BOTEL:** Oh. So, this is just adding on?

**EXECUTIVE DIRECTOR HORTON:** Yes, ma'am.

**BOARD MEMBER BOTEL:** I'm sorry. Thank you.

**EXECUTIVE DIRECTOR HORTON:** Not a problem.

**CHAIRPERSON DAVIS JOHNSON:** Any further questions from the Board?

**CHAIR PRO TEM HUBBARD:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Vice Chair Hubbard...

**CHAIR PRO TEM HUBBARD:** The other...

**CHAIRPERSON DAVIS JOHNSON:** ...you're recognized.

**CHAIR PRO TEM HUBBARD:** The other three will be doing design?

**EXECUTIVE DIRECTOR HORTON:** There are a couple of them on there that will be doing design and construction, but they will not be, be allowed to inspect their own projects.

**CHAIR PRO TEM HUBBARD:** Okay. Again, I just want to.., since we have one inspector, I just wanna go on record as saying that I think that if the, the inspect'.., the firm that's gonna do the inspection, should do the inspections because if we have the other three going back and forth, A is not going to rate C badly, and C's not gonna rate B badly, because they know one time, at some point, chances go around. So, we got a single and a sole inspection, I, I think that would be, you know, the right way to go to make sure that we get our, our bang for our buck. And they have a ves'.., you know, an interest because they are local.

**EXECUTIVE DIRECTOR HORTON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Yes, Mr. Horton.



**EXECUTIVE DIRECTOR HORTON:** Thank you. Just, just a reminder, we, we talked about rotating this...

**CHAIR PRO TEM HUBBARD:** [Inaudible ]...

**EXECUTIVE DIRECTOR HORTON:** ...and so, one of the intents is to rotate this so that the effort could be spread around. Secondly, I think there's a second firm on the inspection side that's only doing inspection services, so there are two that have put in for both the inspection services and the design services, and we, we will manage that as we're going forth depending on the projects that are coming forth.

**CHAIR PRO TEM HUBBARD:** You said there's..., one of the other three firms...

**EXECUTIVE DIRECTOR HORTON:** Yes, ma'am.

**CHAIR PRO TEM HUBBARD:** ...have put in...

**EXECUTIVE DIRECTOR HORTON:** I believe there's...

**CHAIR PRO TEM HUBBARD:** ...for the inspection as well.

**EXECUTIVE DIRECTOR HORTON:** Yes, ma'am.

**CHAIR PRO TEM HUBBARD:** But they're also doing design and...

**EXECUTIVE DIRECTOR HORTON:** No. There, there, there are two on there who have put in for design services, as well as inspection...

**CHAIR PRO TEM HUBBARD:** Mhmm.

**EXECUTIVE DIRECTOR HORTON:** ...services. There was..., there, there are now two on there that only put in for inspection services. Now, I need to just point out that although you've got firms that are doing inspection services, they may also be serving as subs to the primes on the design side. So, you're always gonna have that mix as we go forward. The issue is, the integrity and the ethics of these firms as we go forward, they must maintain the ethical requirements as set, as set forth by the State Board of Professional Registration.

**CHAIR PRO TEM HUBBARD:** And, as I pointed out before, I think most, and all, professional services are required, you know, to, to have those standards, and to meet ethical standards, but I think that, again, while we can't regulate someone's integrity or their conscious, we can say that we have a sole provider doing inspections and I think that's how we got into a lot of problems on our earlier projects because we had the, you know, fox watching the hen house as, as opposed to a sole inspector checking for, for everything. But, that's..., and I know the guys have put in for [stammer]..., anybody that's designing a project or doing construction, again, we shouldn't, we shouldn't let them also

do inspections unless we have.., if we didn't have anybody that could do just sole inspections, then we'd be at the other guy's mercy, but we.., and we have, you know, we have one of the firms that, that's doing a lotta work for us right now, so truly we don't want them doing, you know, any, any inspections.

**EXECUTIVE DIRECTOR HORTON:** Well, of course... I'm sorry. Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Horton, you're recognized.

**EXECUTIVE DIRECTOR HORTON:** I, I.., it's also important to understand that, when we put those RFP's out, we didn't put that type of qualification in either of the packets, so firms were, if they so ch'.., chose to do so, could put in for both if they had interest in both. And, and so, as we, as we move forward, honoring that, that effort that was actually advertised, and they competed for, should be followed moving forward, would be my recommendation moving forward.

**CHAIR PRO TEM HUBBARD:** Okay. Let me say this, with.., we put, we put out the RFP and we're looking for a pool of people, and we're, we're asking them to do certain things. Some we're, we're gonna ask you to do construction, some we're going o ask to do inspections, some we're going to ask to do [stammer] design. You all had an opportunity to bid for all three. However, we get to decide what we want you to do and we're going to, out of the three things that you put in for, we're gonna let you do one, we're gonna let you do two, but we're not gonna let you do, you know, them interchangeably on the project. So, I don't think that's a good case for us having a sole provider for inspections only, keeping those guys that are doing construction and design from inspecting each other. And I, I.., that's, you know, that's, I don't think it's a good.., it's.., again, I don't think it's a good practice. Just because we put it out there, we put out a bid telling them what we were looking for, we didn't tell them what we were gonna allow them to do and what they would be chosen for.

**EXECUTIVE DIRECTOR HORTON:** Madam Chair? These, these are two separate contracts.

[Inaudible dais comment]

**EXECUTIVE DIRECTOR HORTON:** The design services is a contract by itself, the inspection services is a contract by itself. What the Board directed me to do, once we got all of these firms onboard, was to ensure that I rotate them among those who are selected on each of those contracts. So, it's not a, a choice... Yes, we can decide not to give work to certain firms, but I think those firms would have grounds to come back and complain if we.., if the intent was to rotate the, the work for each of those contractual agreements moving forward.

**CHAIR PRO TEM HUBBARD:** You're.., I, I hear you and I understand what you're saying, but I don't think that the intent was to rotate throughout all of, of the work. We, we did not.., we didn't specify that, 'Hey, you're gonna be allowed to inspect, design and

construct.' I believe if.., I believe we have a pool of people that we can.., we have enough work that we can assign. If you're gonna construct and design, that's all well and good. We had enough people that responded that can do the inspection of these jobs, that did not design 'em and [inaudible] did not construction, and I think that's for our own good. We can, you know, we can look back at Close, we can look back at C Solution, the relationship that they had and what happened with.., what happened with that, to, to make a case for what we're, what we're embarking on at this time.

**EXECUTIVE DIRECTOR HORTON:** Just one other point, Madam Chair. The.., there's only two contracts. There's not any construction contracts in this mix, it's just design and engineering supervision during construction, and then there's inspection services.

**CHAIR PRO TEM HUBBARD:** Okay. I was just making...

**EXECUTIVE DIRECTOR HORTON:** Oh...

**CHAIR PRO TEM HUBBARD:** ...an exam'.., for example sake.

**MAYOR MASTERS:** Okay. Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Mayor, you're recognized.

**MAYOR MASTERS:** Yes. Mr. Horton, Commissioner.., Dr. Botel mentioned earlier about the scoring. I wanna go back to that. I do understand that they all got a piece of the pie, but can you tell me why there was such a big gap between Radise and the others?

**EXECUTIVE DIRECTOR HORTON:** Radise.

**MAYOR MASTERS:** Radise. Okay. Thank you.

**EXECUTIVE DIRECTOR HORTON:** There, there, there was a committee...

**MAYOR MASTERS:** Okay.

**EXECUTIVE DIRECTOR HORTON:** ...of, of five of us that went through each proposal that was submitted. Each participant on the selection committee, rated each consultant. Based upon the ratings, that's how the scoring came out, the average of the ratings from each of the panel members was placed on a sheet and tabulated, and that's how the ratings came out.

**MAYOR MASTERS:** Did we give.., did we give any points, credits, whatever you want to say, because that company is a local...

**BOARD MEMBER BOTEL:** Yes.

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. We did.

**MAYOR MASTERS:** And how many did we give?

**BOARD MEMBER BOTEL:** It's right here.

**EXECUTIVE DIRECTOR HORTON:** I think.., I, I don't remember offhand what the, the rating for each category.

**MAYOR MASTERS:** But that was the only one? From Riviera Beach?

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. It was.

**MAYOR MASTERS:** So, if we gave them some points, would that be a part of the scoring.

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. It is.

**MAYOR MASTERS:** So, that would be a part of them getting ninety.., 94...

**EXECUTIVE DIRECTOR HORTON:** It's a part of their total score.

**MAYOR MASTERS:** What was the total score again? We...

**EXECUTIVE DIRECTOR HORTON:** I don't know what the total score is. I don't...

**MAYOR MASTERS:** Dr. Botel, what did you say that score was?

**BOARD MEMBER BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Commissioner Botel, you're recognized.

**BOARD MEMBER BOTEL:** The, the top score got 122.0 points, and Radise got 94.8, which is a difference of 27.2 points.

**CITY MANAGER HOSKINS:** And, Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** One moment. The location of firms points are fifteen.

**MAYOR MASTERS:** Thank you.

**CITY MANAGER HOSKINS:** That's what I was gonna say

**MAYOR MASTERS:** So, if you subtract fifteen from the, whatever she said that number was...

**BOARD MEMBER BOTEL:** 27.2.

**MAYOR MASTERS:** Okay. The other thing, Mr. Horton, would it create a hardship on you if you took Commissioner Hubbard's suggestion, as far as what she said and..., would that create a, a..., would that create some type of hardship?

**EXECUTIVE DIRECTOR HORTON:** You're, you're then suggesting that we depend on one firm to provide all of those services for inspection. I think with the workload that we have, and some of the specialized work that will be done, I'm not sure that Radise could cover all of those bases. They have no water plant operational experience that, that we could see, that would measure up to what we need when we get into the water plant work. So, the answer would be yes.

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Mayor, you're recognized.

**MAYOR MASTERS:** May, may I address Commissioner Hubbard, please? For clarification?

**CHAIRPERSON DAVIS JOHNSON:** Sure. Commi'..., Vice Chair.

**MAYOR MASTERS:** Commissioner Hubbard, what..., you're suggestion in a nutshell was what?

**CHAIR PRO TEM HUBBARD:** [Stammer]...

**MAYOR MASTERS:** 'Cause I wanna make sure I'm clear.

**CHAIR PRO TEM HUBBARD:** My, my suggestion was that, if, if the top three companies are doing all of the design work and some of the construction work, and we have a company that didn't bid, that could've bidded on design and construction work, they only bidded on, on the inspection, I think we find ourselves in a good place for once, having someone that could inspect the other three persons work. However, they..., in their, in their package, they, they partnered with a... They..., with another firm to..., for any of, any of the services or areas that they might not have had enough experience or capacity in. But, but they're a full-fledged..., they're a full-fledged company. I agree with this recommendation to bring them on, to add them to the list. Number one, they're quite capable, they're quite competent. I went down to see their facility. I'm, I, I was totally impressed. They..., they're doing work for Corp of Engineers, they're doing, you know, they're doing work nationally, as well, they have competed for, for work outside of Riviera Beach and gotten quite a bit of it. So, I don't, you know, I don't see them not being able to hold their own with any of these firms. However, they just..., they only competed for the inspection.

If we are having so much work that, that they wouldn't be able to meet all the inspections, then that would be, you know, one thing, but I would just like to see us have

an independent eye and I feel, because we didn't, that's how we got into this lawsuit with C Solutions and Close Construction. So that was really my suggestion, don't have them..., don't have those three guys in a..., inspecting their own work. And, when I say their own work, I mean each other's work. Because A, B and C, I'm gonna rate him good because I know he has to come back around one day and rate my project, and he's not going to give me a poor grade. And that's what I think will happen. It's just, you know, it's just the nature of the beast.

**MAYOR MASTERS:** But, you were somewhat in, in disagreement about the rotation? You said something...

**CHAIR PRO TEM HUBBARD:** Well, in my disagreement with the rotation is that I wouldn't have Holtz, Chen or C'..., CES rotating and inspecting each other's work. I would move down to number four and have an independent inspector inspect their work. But, you know, we might not [stammer], we might not get..., if we don't do it that way, we're still put in that... You know, we're still in a position where we're gonna have... I, I don't ever see..., I don't ever see one of those three guys calling the other one out. I don't, I don't believe they'll call one of the other one out on anything that they find that could possibly be, be wrong. If there's too much work going on that we need another person, then I say, hey, add another inspector on...

**MAYOR MASTERS:** I unders'..., I understand. Thank you, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** You're welcome. I, I, I do not see a firm risking their license to possibly rate their colleague. If Radise is a..., I'm sorry, if Radise...

**EXECUTIVE DIRECTOR HORTON:** Radise.

**CHAIRPERSON DAVIS JOHNSON:** ...is a...

**MAYOR MASTERS:** I got 'em mixed up too.

**CHAIRPERSON DAVIS JOHNSON:** Yeah. I call them that on my side. If Radise International is established to handle the construction, engineering inspections, then they should be, based on their qualifications and based on what the rules of construction, engineering, inspection make those recommendations or review of any one of these firms. If we want to add, perhaps go out and look to identify someone else, we still run the risk of, of having the same issue, because this community is very..., they, they work hand in hand, they work on other projects. So, unless you go and find somebody that is coming from another state, or from another country so to speak, to be that independent person, we run, run the risk, in my mind, of having this scenario repeat itself. So, I, I..., I am just confident that the, the rules of business and ethics and integrity will come into plays with construction, engineering. Radise is known in the in'..., industry, they have done work, as you said, nationally, around the country and around the county. They're one of..., they were a certified business. I don't think that they've graduated the program yet, I'll have to look at the, the database, but they have done quite a bit of work for the county on its

side. So, I just have to believe that a business would not risk.., run the risk of losing its license, or its ability to conduct business for the sake of helping a friend for help later down the road.

**CHAIR PRO TEM HUBBARD:** Madam Chair...

**CHAIRPERSON DAVIS JOHNSON:** [Inaudible].

**CHAIR PRO TEM HUBBARD:** ...I think you misunderstood me. I was all for Radise. I was all for them being the general.., being the, being the...

**EXECUTIVE DIRECTOR HORTON:** Mic.

**CHAIR PRO TEM HUBBARD:** ...inspector.

**EXECUTIVE DIRECTOR HORTON:** Madam.., you're mic.

**CHAIR PRO TEM HUBBARD:** I was definitely all.., I agree...

**CHAIRPERSON DAVIS JOHNSON:** [Inaudible].

**CHAIR PRO TEM HUBBARD:** ...with what you were saying, that they should be the inspector. All I was saying was that they should be the sole inspector, they shouldn't.., the other three shouldn't be able to any to do any sus'.., inspecting 'cause they're doing the design and construction.

**CHAIRPERSON DAVIS JOHNSON:** I understood you.

**CHAIR PRO TEM HUBBARD:** That's what I was... So, I, I'm definitely for Radise being the inspector on these, on these projects and...

**CHAIRPERSON DAVIS JOHNSON:** [Inaudible].

**CHAIR PRO TEM HUBBARD:** I'm.., yeah. And, and I think they are a.., are a great company, a great firm and, and definitely they will.., I think they will rate everybody on their merit and the project that they're doing, and I, I don't think that's something where we.., we have to worry about. I was just saying, if we have the design and.., the design contractors, the first three, I don't see them not.., I don't see them rating their, their friends.., I mean, their other colleagues lower in the field.

But, it's.., that's what, I guess they'll always come back to us and, you know, we can talk about it the'.., more than, I guess.

**EXECUTIVE DIRECTOR HORTON:** Madam Chair, if I may?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Horton...

**CHAIR PRO TEM HUBBARD:** Thank you.

**CHAIRPERSON DAVIS JOHNSON:** ...you're recognized.

**EXECUTIVE DIRECTOR HORTON:** I think it's important to understand that.., and I've had conversations after we completed this process with Radise. Radise does a lot of sub work with practically every firm that is on the design list with the City. They do sub work throughout the state. And this.., according to what they told me, this will be their first contract where they are the prime. They're usually coming in as the sub on those projects. So, I make that point only to indicate that all of them have relationships with one another, whether it's here in Riviera Beach or elsewhere throughout the state. I just wanted to make that point.

**CHAIRPERSON DAVIS JOHNSON:** Are there any other questions or comments from the Board?

**MAYOR MASTERS:** Yes, Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Mayor, you're recognized.

**MAYOR MASTERS:** Thank you. Mr. Horton, you were on the committee?

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. I was.

**MAYOR MASTERS:** Well, and name the people that were on the committee, please.

**EXECUTIVE DIRECTOR HORTON:** I, we, we don't do that, sir. We give numbers, and there's reasons behind that. So, we don't give names of those who serve on the committee.

**MAYOR MASTERS:** So, the public wouldn't.., will not know?

**EXECUTIVE DIRECTOR HORTON:** No, sir.

**MAYOR MASTERS:** Hmm.

**EXECUTIVE DIRECTOR HORTON:** They will know the numbers associated with...

**BOARD MEMBER BOTEL:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Commissioner Botel, you're recognized.

**BOARD MEMBER BOTEL:** For the Mayor's benefit, they're listed in the...

**MAYOR MASTERS:** Call...



**BOARD MEMBER BOTEL:** ...[inaudible].

**MAYOR MASTERS:** ...call 'em off then. I wanna know...

**BOARD MEMBER BOTEL:** Well, I [stammer], I'd be happy to pass it down to you.

**MAYOR MASTERS:** Yes. I want the public to know. Please pass...

**BOARD MEMBER MILLER-ANDERSON:** [Inaudible]...

**MAYOR MASTERS:** Thank you. [Pause]. Madam Chair, do I still have the floor?

**CHAIRPERSON DAVIS JOHNSON:** You're recognized, Mr. Mayor.

**MAYOR MASTERS:** Madam..., Mr. Attorney, question for you. I, I have before me, the names of the evaluation committee. Is there any prohibition or any kinda law that these names cannot be made public? Of a committee?

**DISTRICT ATTORNEY DEGRAFFENREIDT:** I do know that there are exceptions to the [inaudible] in the law.

**CHAIR PRO TEM HUBBARD:** It's privileged stuff.

**DISTRICT ATTORNEY DEGRAFFENREIDT:** ...based on the [inaudible] and its selection.

**CHAIR PRO TEM HUBBARD:** Not [inaudible].

**DISTRICT ATTORNEY DEGRAFFENREIDT:** I will need to look at the statute and that list first, and confer with the..., my Director. But there..., apparently, there's a reason for it.

**MAYOR MASTERS:** Yeah. That's what I wanna know.

**DISTRICT ATTORNEY DEGRAFFENREIDT:** Yes.

**MAYOR MASTERS:** What is the reason? Do we know? Do you know, Mr. Director?

**EXECUTIVE DIRECTOR HORTON:** When I came on board with the City of Riviera Beach...

**BOARD MEMBER BOTEL:** [Inaudible].

**EXECUTIVE DIRECTOR HORTON:** ...one of the things that were laid out to me, were the, were the practices of the City of Riviera Beach,...

**BOARD MEMBER MILLER-ANDERSON:** [Inaudible].

**EXECUTIVE DIRECTOR HORTON:** ...as it related to any selection committee.

**MAYOR MASTERS:** Dr... I'll refer to Dr. Botel.

**BOARD MEMBER BOTEL:** Madam Chair?

**MAYOR MASTERS:** [Inaudible].

**CHAIRPERSON DAVIS JOHNSON:** Commissioner Botel, you're recognized.

**BOARD MEMBER BOTEL:** I believe that, I believe the memo was available on the website for the public to...

**MAYOR MASTERS:** So, if they wanna know they names, they just go to the website? Here it is?

**EXECUTIVE DIRECTOR HORTON:** The website.

**MAYOR MASTERS:** Okay.

**EXECUTIVE DIRECTOR HORTON:** If it's on the website.

**MAYOR MASTERS:** I just don't see a reason that...

**CHAIR PRO TEM HUBBARD:** One thing, Madam Chair?

**MAYOR MASTERS:** ...that we would not want the public to know. The public should always have the right to know people who will serve...

**EXECUTIVE DIRECTOR HORTON:** Yes, sir.

**MAYOR MASTERS:** ...on committees.

**CHAIRPERSON DAVIS JOHNSON:** Vice Chair...

**MAYOR MASTERS:** Taxpayer dollars.

**CHAIRPERSON DAVIS JOHNSON:** ...you're recognized.

**CHAIR PRO TEM HUBBARD:** Madam Chair. Mr. Mayor, for this particular purpose, I don't, you know, I don't.., it's not.., I guess it's not the.., I guess the, the.., I'm glad that Ra'.., I'm glad that Radise is being added. I want them to be added, I like to see when local businesses are coming into play and getting an opportunity to serve in the community. I was trying to show an analogy where having them as a part of it, is a good thing where we won't be.., where it won't be able to.., we could get some [stammer] it won't show any bias when we get some inspections. You know, we would have a individual inspection looking out for us.

**MAYOR MASTERS:** [Inaudible].

**CHAIR PRO TEM HUBBARD:** So that, that's what I was trying more.., I'm glad that, that they're coming aboard and... So, and, and I guess.., we'll see how it goes as we get more and more projects, if we need more and more inspectors.

**MAYOR MASTERS:** I was just dealing with the, the names. They're, they're on the website, but everybody may not have...

**CHAIR PRO TEM HUBBARD:** Yeah.

**MAYOR MASTERS:** ...access to the website.

**CHAIR PRO TEM HUBBARD:** And...

**MAYOR MASTERS:** So I'm gonna read the names later. Thank you.

**CHAIR PRO TEM HUBBARD:** Yeah. And I was just saying that it wasn't the.., they're alr'.., they already made the list, they already made the cut. This company, this local company, they already made the cut. So, they were, I guess.., thank God they, they were dealt with fairly, they made the list and... So, okay. We can go on.

**CHAIRPERSON DAVIS JOHNSON:** Are there any further questions? [Pause]. Any public comment cards?

**DISTRICT CLERK ANTHONY:** No, Madam Chair.

**CHAIRPERSON DAVIS JOHNSON:** Madam Clerk.

**DISTRICT CLERK ANTHONY:** Board Member Davis?

**BOARD MEMBER DAVIS:** Yes, ma'am.

**DISTRICT CLERK ANTHONY:** Board Member Botel?

**BOARD MEMBER BOTEL:** Yes.

**DISTRICT CLERK ANTHONY:** Board Member Miller-Anderson?

**BOARD MEMBER MILLER-ANDERSON:** Yes.

**DISTRICT CLERK ANTHONY:** Pro Tem Hubbard?

**CHAIR PRO TEM HUBBARD:** Yes.

**DISTRICT CLERK ANTHONY:** Chairperson Davis Johnson?

**CHAIRPERSON DAVIS JOHNSON:** Yes.

**DISTRICT CLERK ANTHONY:** Unanimous vote.

**UNK.:** Alright.

**CHAIRPERSON DAVIS JOHNSON:** Thank you. [Inaudible].

**CHAIR PRO TEM HUBBARD:** They gotta fill out a public comment card.

**END OF REGULAR AGENDA**

**CHAIRPERSON DAVIS JOHNSON:** That ends our regular Agenda.

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

**CHAIRPERSON DAVIS JOHNSON:** PUBLIC COMMENT SHOULD BE RESTRICTED TO ISSUES, MATTERS OR TOPICS PERTINENT TO THE CITY OF RIVIERA BEACH. PLEASE BE REMINDED THAT THE CITY COUNCIL HAS ADOPTED RULES OF DECORUM GOVERNING PUBLIC CONDUCT DURING OFFICIAL MEETINGS, WHICH HAS BEEN POSTED AT THE ENTRANCE OF COUNCIL CHAMBERS. IN AN EFFORT TO PRESERVE ORDER, IF ANY OF THE RULES ARE NOT ADHERED TO, THE DISTRICT BOARD CHAIRPERSON 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:** Do we have any public comment cards?

**DISTRICT CLERK ANTHONY:** Madam Chair, we do not have any public [stammer], public comment cards but I do have a member of the public that's trying to get a card from...

**CHAIRPERSON DAVIS JOHNSON:** She, she tried to get it before I read the statement?

**CHAIR PRO TEM HUBBARD:** She didn't have it in there.

**DISTRICT CLERK ANTHONY:** She didn't have it. I sent her outside to...

**CHAIRPERSON DAVIS JOHNSON:** Okay. She can complete the card. Let's have her come on up and make her comment. [Inaudible].

**DISTRICT CLERK ANTHONY:** [Inaudible].

**CHAIRPERSON DAVIS JOHNSON:** Please state your name for the record.

**MS. K. KINGDOM:** Hi. My name is Karen Kingdom. This is...

**MR. A. KINGDOM:** I'm Andre Kingdom.

**MS. K. KINGDOM:** And I'm calling about the...

**UNK.:** Welcome.

**MS. K. KINGDOM:** ...property at 1252 West 26<sup>th</sup> Court. During the road construction on our street, they were out there with a, I think it's called a, a vibrator, or vibrator or something. Vibra'... Yes, ma'am. And, it shook my home very violently. It shook the home, like, three times. Alright? Maybe about a couple weeks..., the water pressure dropped at that time. About two weeks later, my har'..., my home start' flooding with water, coming from under the home. It started running out on the concrete in the back, from under the home. Now, the City came over, a worker came over. I think they got somebody to come over, and they repaired the job, as far as the pipes were concerned, but they left a big holed'..., hole in the side of my house.

**MAYOR MASTERS:** Hmm.

**MS. K. KINGDOM:** The hole has been in the side of my house since last Wednesday. I spoke with the gentleman from the City, I can't think of his name right now...

**MR. A. KINGDOM:** Terrence Bailey.

**MS. K. KINGDOM:** Was it Terrence Bailey? And, he asked me if that was something that we can take care of.

**MAYOR MASTERS:** Hmm.

**MS. K. KINGDOM:** I can't take care of the problem. My dad..., I have an elderly father living in the home and he's, he's on a fixed budget, and I can't take care of it, but I feel that something needs to be done to repair my home. I have pictures in my phone that I can show you of the hole in the wall.

So, that's why I'm here tonight, to find out if we can do something about that.

**CHAIRPERSON DAVIS JOHNSON:** Mr. Horton, do you have any information with regards to this property and the issue that's faced?

**EXECUTIVE DIRECTOR HORTON:** I do, Madam Chair. It, it's my understanding that a visit was made..., a tour was done of the area and this is one home that was pointed out during the tour to Staff, when it was learned, it was asked if there could be some assistance made. Now, usually, we would require citizens to file a claim through Risk Management, to get reimbursed any costs that they believe was associated to the project. That was not done in this case, and I believe it wasn't done because so much water was running, realizing that there were elderly people living in the home, members of Staff moved forward to tr'.., to make the repair. It is also my understanding that it is the intent of the Department of Public Works to go back out and repair the hole that was opened in order to get to the pipe. So, I would need to check, check on that part because we did open the, open the hole. But t typically, this is not a practice that should be done in government. There should have been a, a claim filed by the homeowners to get reimbursed for any damages there. But, we will..., I will get with Public Works later this week and ask how soon they will be out to make that repair.

**CHAIRPERSON DAVIS JOHNSON:** The hole that's in the property, is it a hole in the ground, a hole in the house, hole...

**EXECUTIVE DIRECTOR HORTON:** On the wall.

**CHAIRPERSON DAVIS JOHNSON:** ...in the wall?

[Inaudible comment]

**EXECUTIVE DIRECTOR HORTON:** It's on the wall, isn't it?

**MS. K. KINGDOM:** It's in the wall.

**MR. A. KINGDOM:** It's in the wall.

**EXECUTIVE DIRECTOR HORTON:** Yeah. It's on the wall.

**CHAIRPERSON DAVIS JOHNSON:** So...

**MR. A. KINGDOM:** Maybe two feet from the ground in the back. And if I could just back up a second.

**DISTRICT CLERK ANTHONY:** Your name, sir?

**MR. A. KINGDOM:** My name's Andre Kingdom. This is my father, Sammy Kingdom. He's 82 years old. And it wasn't as simple as my sister put it. The incident happened on Friday, water was gushing, so...

**CHAIRPERSON DAVIS JOHNSON:** This past Friday?

**MR. A. KINGDOM:** No. Uh...

**CHAIRPERSON DAVIS JOHNSON:** The Friday before?

**MR. A. KINGDOM:** Yes, ma'am. And, the water actually came back into the home also. He had to get a vacuum and he was trynna vacuum the water up. So, they sent someone out to do an emergency shut off on Friday. My father was out.., was, was without water until Wednesday. He had no water in his home. He had to go to my house, or either my sister's home to take a bath, to brush his teeth, to do anything. And so did my sister. So, it wasn't just that simple. And, someone from Riviera Beach came out, and someone from the company Man-Con came out. He denied responsibility. He wanted to know why we thought it was his fault just because the home shook. And then, no one contacted us anymore, so we had to reach out and reach out, and then eventually someone came out and fixed it. But, my dad has already been inconvenienced. He had to go out with metal screening to screw into the wall so no critters or frogs or anything could come up into his home. And then I put plastic over that on the outside just trying to prevent moisture from coming into his home.

So, he's been in a very bad way for the last couple of weeks. And I know what people say may have should.., may have should've been done, the way it could've... But, it was not taken care of properly, on any end.

**CHAIRPERSON DAVIS JOHNSON:** Okay. Okay. Mr. Horton, I'm going to recommend that you all go out tomorrow. I don't see why this should take 'til the end of the week. We need to go ahead and address the issue. But moving forward, we certainly need to put what the process is, as it relates to the claims and etc., however, in this extreme situation, I do believe that my colleagues would support me in having Staff go out tomorrow to assess and to have it done by no later than Wednesday, close of business. Because...

**EXECUTIVE DIRECTOR HORTON:** It will be done tomorrow.

**CHAIRPERSON DAVIS JOHNSON:** ...we cannot expect that the citizens will, will continue to live in this way. And then, if we need to then go after Man-Con, or whatever firm it was that did the work, then the City should take whatever steps necessary to recoup any dollars that we have to expend in order to take care of this.

**EXECUTIVE DIRECTOR HORTON:** Yes, ma'am. We will comply.

**CHAIRPERSON DAVIS JOHNSON:** Okay. Alright.

**BOARD MEMBER DAVIS:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Davis, you're recognized.

**BOARD MEMBER DAVIS:** And so...

**CHAIRPERSON DAVIS JOHNSON:** Thank you.

**BOARD MEMBER DAVIS:** ...Risk Management will address any other damages that they had to occur at that time, through Risk Management. Correct?

**EXECUTIVE DIRECTOR HORTON:** If, if, if, for this resident, there are other damages associated with..., that, that they believe is associated with the construction of the road project...

**BOARD MEMBER DAVIS:** Mhmm.

**EXECUTIVE DIRECTOR HORTON:** ...I will get Risk Management in contact with them and they can file a claim.

**BOARD MEMBER DAVIS:** Yeah. Because, if, if a hole..., if a fac'..., if it was open for an extended amount of time, I'm pretty sure there are some things that may, may or may not have occurred to whatever degree. We don't know until it's been assessed. But I think we..., we definitely need to get Risk Management to make sure that we don't have to come back and address this later.

**CHAIR PRO TEM HUBBARD:** Madam Chair? Quick question.

**CHAIRPERSON DAVIS JOHNSON:** Vice Chair, you're recognized.

**CHAIR PRO TEM HUBBARD:** The, the, the one thing, I guess, that's, that's troubling is, as we move forward with this construction on the streets, a lot of the residents are not going to be able to...

**UNK.:** [Inaudible]...

**CHAIR PRO TEM HUBBARD:** ...take care of the..., any damages up front. I think Risk Management, like, like it was said, they should go after Man-Con once we dee'..., once we deem that it was. When, when, when I..., when I visited the home and...  
[Inaudible comment]

**CHAIR PRO TEM HUBBARD:** ...saw, saw the area, the gentleman was trying to be very patient and he stayed there, you know, quite a while because a lot of the stu'..., a lot of the out-of-pocket costs for plumbing and masonry work is, you know, just exceeds a person that's on fixed income. And a lotta people in that area, are..., have been in their homes a long time and they are all on fixed income'. And the people in that community, they describe the shaking as if they thought a plane had crashed in the neighborhood. That's what they said about the violent shaking in, in the area. So, it was pretty, pretty rough over there.

**UNK.:** Yes.



**CHAIRPERSON DAVIS JOHNSON:** Thank you, Mr. Horton. We'll be in touch with you, as well as our Public Works Director.

**MR. A. KINGDOM:** Thank you, ma'am.

**CHAIRPERSON DAVIS JOHNSON:** Thank you.

**MAYOR MASTERS:** Madam Chair?

**CHAIR PRO TEM HUBBARD:** [Stammer], it was, just one thing, please.

**MAYOR MASTERS:** Oaky. I'm...

**CHAIR PRO TEM HUBBARD:** The gentleman's name is Ron. He's our Project Manager, it wasn't Mr. Bailey that he spoke with this time, it was Ron that... He's our new...

**EXECUTIVE DIRECTOR HORTON:** He's, he's...

**CHAIR PRO TEM HUBBARD:** ...Project Manager?

**EXECUTIVE DIRECTOR HORTON:** He is our..., he's serving as our Interim City...

**UNK.:** Engineer.

**EXECUTIVE DIRECTOR HORTON:** ...Engineer, as a consultant.

**CHAIR PRO TEM HUBBARD:** Okay. I just wanted to make... I just wanted to make sure that we didn't think it was Mr. Bailey.  
[Chuckle]

**MAYOR MASTERS:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Mr. Mayor, you're recognized.

**MAYOR MASTERS:** Yes. Before the Kingdoms leave, I like that name, Kingdom, before the Kingdom family leave, we..., I do want to apologize on behalf of all of us, because that's typically not the way that we do business. So, sometime' we don't get it right all the time. And when we do'.., when we don't get it right, we're big enough to say, 'Forgive us.' And Jessie Jackson would say, 'Charge it to our head but not our hearts.' Okay. Thank you. Mr. Kingdom, how you doing tonight?

**MR. A. KINGDOM:** [Inaudible].

**MAYOR MASTERS:** Always good to see you. Thank you.

[Inaudible audience comment]

**CHAIRPERSON DAVIS JOHNSON:** Thank you so much.

**DISCUSSION AND DELIBERATION**

**CHAIRPERSON DAVIS JOHNSON:** Discussion and deliberation. There is none.

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

**CHAIRPERSON DAVIS JOHNSON:** Discussion by the Executive Director.

**EXECUTIVE DIRECTOR HORTON:** Thank you, Madam Chair. I just wanna go.., I, I passed out some of the correspondence that I've had with you, as a Board, over the last six months or so and the one's that I've, I've.., this is not all of them because I've, I've sent out quite a bit of communications to the Board, but these are issues that could possibly lead to our issues that we have been addressing, to avoid conflicts with any of our regulatory agencies. Of course, the first one, related to the tier two public notice that I had sent to you all on the 28<sup>th</sup> of September. I'm not gonna go through in detail, but I talked about the reasons behind it. There was a second one on the same issue on the 27<sup>th</sup> of September. On the twenty'.., on the 18<sup>th</sup> of September, I talked about the overview of issues we're having in the Gramercy Park area. And, just as a side note, that community requested me to come out to a public meeting the latter part of last month. We had a very good, productive meeting. Some of them thought that they were in the City of Riviera Beach, and, and we talked, talked them through that and explained to 'them what we're doing I the area. And all of this information, just as a side note, has been shared with the Health Department, and some of it has been shared with the Department of Environmental Protection. Environmental Protection primarily covers our wastewater issues, and the Health Department covers our water issues.

On July the 10<sup>th</sup>, I sent an email to you all concerning responses to the compliance assistance offer that was given to us by the Department of Environmental Protection. This came up as a result of the electrical storm that we had back on the 8<sup>th</sup> of September. On the 10<sup>th</sup>.., I'm sorry, the 8<sup>th</sup> of June. On the 10<sup>th</sup> of June, I sent you all an email, that was a Sunday morning, concerning the situation at Lift Station 10. Unfortunately, the information that was provided at that time was somewhat erroneous as we begin to do the investigation and the email of July 20<sup>th</sup> was followed by a formal meeting with DEP to go over those issues, along with the actions that were taken to correct that matter.

So, all of these issues have been tak'.., have been discussed with the DEP, and with the Health Department, and we continue to do, to do that. Based upon the conversation I had as recently as this morning with the DEP, we're in good standings. There is no actions pending. Although I had mentioned to you all, because of the issue from the 8<sup>th</sup> of September.., 8<sup>th</sup>.., I keep saying September, the 8<sup>th</sup> of June, I expected some slap on the hand, that has not come about, and I believe it's because the regulatory community has been very pleased with the manner and how we've gone about to correct the issues.

So, th'.., this is just information to make you aware that the District is doing all it, it's supposed to do, and doing more than what it has done in the past, to not only keep you, as our Board, informed on things that are going on in the District, but also keeping our regulatory.., keeping the line of communications open with the regulatory community and talking with them when there are issues, so that they will know above board, up front, and they will know what corrective actions we're taking as we move forward. So, again, this is just information and to remind all of you that, that I continue to send you all information to keep you informed as to any issue relating to the District, and any issues that could lead to a violation. At this point, there are no violations during my tenure here with the Utility Special District that has come about.

So, I just wanted to make you all aware of that. And, pending any questions, that completes my comments.

**BOARD MEMBER MILLER-ANDERSON:** Madam Chair?

**CHAIRPERSON DAVIS JOHNSON:** Board Member Miller-Anderson, you're recognized.

**BOARD MEMBER MILLER-ANDERSON:** Mr. Horton, thank you for printing up those emails. So, there has been no fees paid for anything at all? Even if it was something that needed to be addressed that spilled over to when you came to us?

**EXECUTIVE DIRECTOR HORTON:** Since the 9<sup>th</sup> of October...

**BOARD MEMBER MILLER-ANDERSON:** Mhmm.

**EXECUTIVE DIRECTOR HORTON:** ...when I walked through the door, there have been no fees paid to the State Health Department, the, the Department of Environmental Protection, the South Florida Water Management District, or EPA.

**BOARD MEMBER MILLER-ANDERSON:** And then also, the, the, the spill that happened in C-17, between Blue Heron and MLK, what was the ending result of that? I know you were.., it didn't that night because it would've been a little too risky and all of that, so what's the.., what happened after that?

**EXECUTIVE DIRECTOR HORTON:** We were able, able to patch it up the very next day. What I'm moving forward with, and I should've mentioned that, I didn't, what I'm moving forward with, is an emergency replacement of that line. That line has been a concern since I walked through the door, because it has had multiple repairs on it. That's why I didn't want anyone...

**BOARD MEMBER MILLER-ANDERSON:** [Inaudible] on it.

**EXECUTIVE DIRECTOR HORTON:** ...crawling out on the...

**BOARD MEMBER MILLER-ANDERSON:** Right.

**EXECUTIVE DIRECTOR HORTON:** ...top, because it could have, have give'..., given way.

**BOARD MEMBER MILLER-ANDERSON:** Mhmm.

**EXECUTIVE DIRECTOR HORTON:** So, what we are proposing to do from an emergency perspective, is to take that line underground, but it's gonna take some time to get all the permitting and what not in place, but that is now extremely high on the priority list to move forward with.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Thank you. So, there were no..., nothing from DEP or, or Health Department from that spill?

**EXECUTIVE DIRECTOR HORTON:** No, ma'am. That, that would be [stammer]..., well, that one will be both DEP and the Health Department.

**BOARD MEMBER MILLER-ANDERSON:** Right.

**EXECUTIVE DIRECTOR HORTON:** We, we informed both of, of that situation.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Thanks.

**MAYOR MASTERS:** Madam Chair, I have questions.

**CHAIRPERSON DAVIS JOHNSON:** Mr. Mayor, you're recognized.

**MAYOR MASTERS:** Thank you. Mr. Horton, you..., based upon what you have said that everything is fine since you, you've been manning the shop over there and this, that and the other, and we haven't received any fines. Correct?

**EXECUTIVE DIRECTOR HORTON:** We've not received any...

**MAYOR MASTERS:** Then why...

**EXECUTIVE DIRECTOR HORTON:** ...fines. That is...

**MAYOR MASTERS:** ...did you say...

**EXECUTIVE DIRECTOR HORTON:** ...correct.

**MAYOR MASTERS:** ...that you were expecting a slap on the hand? What was that statement about?

**EXECUTIVE DIRECTOR HORTON:** That was about...

[Inaudible dais comment]

**EXECUTIVE DIRECTOR HORTON:** ...the.., a situation that happened on the 8<sup>th</sup> of June during the electrical storm, where our brand new Lift Station 10 failed. The control panel malfunctioned and sewage was all over the streets, and this is the one that made the, the media coverage, where some flow got into the bay area. And, so we immediately reported that to DEP and then I followed up with a visit to...

**MAYOR MASTERS:** So...

**EXECUTIVE DIRECTOR HORTON:** ...DEP. I'm sorry, to both DEP and the Health Department.

**MAYOR MASTERS:** But that's, that's telling me what happened.

**EXECUTIVE DIRECTOR HORTON:** Yes, sir.

**MAYOR MASTERS:** But my question is, why did you expect the, the slap on the hand?

**EXECUTIVE DIRECTOR HORTON:** I didn't know really what to expect, so...

**MAYOR MASTERS:** Based on what you just said...

**EXECUTIVE DIRECTOR HORTON:** I was...

**MAYOR MASTERS:** ...a slap on the hand.

**EXECUTIVE DIRECTOR HORTON:** I, I...

**MAYOR MASTERS:** That's what you...

**EXECUTIVE DIRECTOR HORTON:** ...didn't know exactly what to expect. I did expect some action from the regulatory community and that did not happen.

**MAYOR MASTERS:** And what would that action have been based upon?

**EXECUTIVE DIRECTOR HORTON:** Well, we spilled into the bay.

**MAYOR MASTERS:** And therefore, whenever there's a spill in the bay, it...

**EXECUTIVE DIRECTOR HORTON:** Well, it could have been. I mean, it just really depends...

**MAYOR MASTERS:** Could...

**EXECUTIVE DIRECTOR HORTON:** ...on... I, I, I can't tell you exactly what the regulatory community will do. What I, I'll do tell you... And, and when I say that there..,

that everything is hunky dory, I didn't say that. What I'm saying is that we have not had any fines, we have not had any consent orders during the year that I've been with you all. I'm also saying to you, that we have gone the extra mile to establish good communications with our regulators, to make sure that we keep them informed, present to them our plan of action, or actions that we've taken, to correct whatever deficiencies we found, as we, as we move forward.

**MAYOR MASTERS:** And the only reason why I'm asking that, because you volunteered it and said you were expecting a slap, but it didn't happen.

**EXECUTIVE DIRECTOR HORTON:** It did not happen.

**MAYOR MASTERS:** And we appreciate that. But, it also let's me know that, because it did happen, not the slap on the hand but the incident...

**EXECUTIVE DIRECTOR HORTON:** Yes, sir.

**MAYOR MASTERS:** ...happened, that, as you said, something went wrong on, on our side.

**EXECUTIVE DIRECTOR HORTON:** Yes, sir.

**MAYOR MASTERS:** And therefore, we could have been penalized, or we...

**EXECUTIVE DIRECTOR HORTON:** Yes.

**MAYOR MASTERS:** ...could've been fi'... And that's what you were expecting to happen, but it didn't happen, right?

**EXECUTIVE DIRECTOR HORTON:** It did not happen.

**MAYOR MASTERS:** Thank you, sir.

**CHAIRPERSON DAVIS JOHNSON:** Does that complete your comments, Mr. Horton?

**EXECUTIVE DIRECTOR HORTON:** Yes, Madam Chair. It does.

**CHAIRPERSON DAVIS JOHNSON:** Madam City Manager, do you have anything to add?

**CITY MANAGER HOSKINS:** No, ma'am.

**STATEMENTS BY THE DISTRICT BOARD**

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

**MAYOR MASTERS:** Yes. Mr. Horton, can you tell me.., I'm right back to where I was, what has been put into place, or have we done anything that could prevent that from happening again? Or, is there anything that we could do, or, or maybe there isn't anything? But, can you...

**EXECUTIVE DIRECTOR HORTON:** You're, you're referring to the incident on...

**MAYOR MASTERS:** Yeah, yeah. Yes.

**EXECUTIVE DIRECTOR HORTON:** ...the 8<sup>th</sup> of June?

**MAYOR MASTERS:** Yes.

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. We have. We have made some changes in Staff, we've got an electrician onboard now, we've got two additional instrument technicians onboard now, we're checking all fifty-two lift stations on a routine basis, to make sure that all is, is, is right and correct. We're also, because we, we have not closed out 10 and 50 yet, we've asked the designer to get with the manufacturer to go through and make sure that this wasn't a malfunction that was either an, an installation problem, or a problem with the manufacturer. So, so we're.., those are the things that we've done moving forward. We think that the things that we've, we've put in place to ensure that we respond in a timely manner, should not happen as we move forward.

And I will tell you, just like I told the Board.., I mean, just like I told the regulators, on that particular day, because the electrical storm was so bad, we had failures from a communications perspective at many of our sites, both at the well heads and the lift stations. And, and, and in the control room, I had only two people working in the control room that afternoon. So, they're trying to respond to all the signals that are coming up on the screen. This one was noticed. Because it was a brand new station, it was assumed that it was, it was just a false signal. I think if we had responded earlier, we would not have had a spill into the bay. So, that has been discussed with Staff, I made the, the.., both regulators, DEP and the Health Department, aware of that and told them the actions that we've taken to move forward.

**MAYOR MASTERS:** Wonderful. And so, you.., on... What was the date? June the 8<sup>th</sup>?

**EXECUTIVE DIRECTOR HORTON:** The, the incident occurred on June the 8<sup>th</sup>. I believe...

**MAYOR MASTERS:** Yeah. That's all I needed to know.

**EXECUTIVE DIRECTOR HORTON:** I'm sorry.

**MAYOR MASTERS:** And so, actually you would think we were, based on what you said, we were kinda understaffed at that time? You added three or four more people?

**EXECUTIVE DIRECTOR HORTON:** We, we [stammer], the Board has approved for me to bring on six more...

**MAYOR MASTERS:** So, that will be a big help.

**EXECUTIVE DIRECTOR HORTON:** ...plant operators in this year's budget. And, and we're moving forward to try to fill those positions, but I had some other positions...

**MAYOR MASTERS:** Right.

**EXECUTIVE DIRECTOR HORTON:** ...prior to, that we have now filled, that will help with the situation.

**MAYOR MASTERS:** I, I do understand. You, we needed more help. Question, the.., one of the constituents called today and mentioned something about a truck. I know the Board had approved it, that we're renting.., that the Utility... Are we renting any equipment?

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. We are.

**MAYOR MASTERS:** Are we renting a truck?

**EXECUTIVE DIRECTOR HORTON:** Yes, sir. We are.

**MAYOR MASTERS:** And how long are we gonna rent that truck?

**EXECUTIVE DIRECTOR HORTON:** Until we get a replacement for the, the vehicle that's...

**MAYOR MASTERS:** And how much has it costed us to rent the truck?

**EXECUTIVE DIRECTOR HORTON:** Um...

**MAYOR MASTERS:** On a monthly basis? Do you know?

**EXECUTIVE DIRECTOR HORTON:** I, I, I don't recall.

**MAYOR MASTERS:** Provide that information to me, as soon as you can, because I need to get back with the person that called. Just two final comments. Thursday, what is that? The 20<sup>th</sup>, I think, of this week. The Family and Friends Night will be here again and, by popular demand, the Motown Magic, that everybody likes to come and see and enjoy, they will be performing, along with other local talents, possibly a local band. And also, to my colleague to my far right, Mr. Davis, this will make you happy, happier, to know



that we've been diverted from the, the North Carolina, so it'll be going to Florida, Quincy and Marianna. And I think you have relatives in that area? Near Tallahassee?

**BOARD MEMBER DAVIS:** Yes.

**MAYOR MASTERS:** Okay. So...

**BOARD MEMBER DAVIS:** It was Wilmington, North Carolina, is where my family's at.

**MAYOR MASTERS:** There too. And you have some in...

**BOARD MEMBER DAVIS:** Yes.

**MAYOR MASTERS:** ...Florida? Okay. Thank you, Madam Chair. And that'll do it for me for tonight.

**CHAIRPERSON DAVIS JOHNSON:** Thank you, Mr. Mayor. Mr. Davis?

**BOARD MEMBER DAVIS:** I have none.

**CHAIRPERSON DAVIS JOHNSON:** Commissioner Botel? Board Member Miller-Anderson?

**BOARD MEMBER MILLER-ANDERSON:** Nothing.

**CHAIRPERSON DAVIS JOHNSON:** Vice Chair Hubbard?

**CHAIR PRO TEM HUBBARD:** None.

**CHAIRPERSON DAVIS JOHNSON:** I have none.

### **ADJOURNMENT**

**CHAIRPERSON DAVIS JOHNSON:** Seeing that there is no further business, we stand adjourned.

[Gavel]

[End of video/audio]

**City Employees, Public Speakers and Others**

KAREN KINGDOM.....MS. K. KINGDOM

ANDRE KINGDOM .....MR. A. KINGDOM

**APPROVED:**

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**TONYA DAVIS JOHNSON  
CHAIRPERSON**

**ATTEST:**

\_\_\_\_\_  
**CLAUDENE L. ANTHONY  
CERTIFIED MUNICIPAL CLERK  
CITY CLERK**

\_\_\_\_\_  
**LYNNE L. HUBBARD  
CHAIR PRO TEM**

\_\_\_\_\_  
**KASHAMBA MILLER-ANDERSON  
BOARDMEMBER**

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**JULIA A. BOTEL, Ed.D  
BOARDMEMBER**

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**TERENCE D. DAVIS  
BOARDMEMBER**

**MOTIONED BY:** \_\_\_\_\_

**SECONDED BY:** \_\_\_\_\_

**L. HUBBARD** \_\_\_\_\_

**K. MILLER-ANDERSON** \_\_\_\_\_

**T. DAVIS JOHNSON** \_\_\_\_\_

**J. BOTEL** \_\_\_\_\_

**T. DAVIS** \_\_\_\_\_

**DATE APPROVED: NOVEMBER 19, 2018**