

MINUTES OF THE SPECIAL UTILITY SPECIAL DISTRICT MEETING  
HELD APRIL 26, 2016, 5:30PM  
MUNICIPAL COMPLEX COUNCIL CHAMBERS

**I. CALL TO ORDER**

**CHAIRPERSON PARDO:** Welcome, everyone, to the City of Riviera Beach. Tonight we have a Special Utility District Meeting. Madam Clerk, roll call, please.

**II. ROLL CALL**

**CITY CLERK ANTHONY:** Mayor Thomas Masters, ex-officio member? Chairperson Dawn Pardo?

**CHAIRPERSON PARDO:** Present.

**CITY CLERK ANTHONY:** Chair Pro Tem Terence Davis? Board Member Bruce Guyton? Board Member KaShamba Miller-Anderson?

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

**CITY CLERK ANTHONY:** Board Member Tonya Davis Johnson?

**BOARD MEMBER DAVIS JOHNSON:** Here.

**CITY CLERK ANTHONY:** City Manager Ruth Jones?

**CITY MANAGER JONES:** Present.

**CITY CLERK ANTHONY:** Deputy City Clerk -- Deputy -- not deputy, District City Clerk Claudene Anthony is present. And District City Attorney Pamala Ryan?

**CITY ATTORNEY RYAN:** Here.

**CHAIRPERSON PARDO:** Okay. We have a quorum. I'd like to invite everyone to stand for a moment of silence followed by the Pledge.

**III. INVOCATION**

**IV. PLEDGE OF ALLEGIANCE**

(Everyone stood for a Moment of Silence with the Pledge of Allegiance being led by Chairperson Pardo).

**CHAIRPERSON PARDO:** Okay. I called this meeting last week after we found out from the press that we had some issues in the Utility District. So with that I am going to turn it over to Miss Jones. Would you like to tell us what's going on and what you've been working on since Wednesday night, please?

**CITY MANAGER JONES:** Yes, Madam Chair.

## **V. COMMITMENT AND ACTIONS RUTH C. JONES, CITY MANAGER**

**CITY MANAGER JONES:** First I would like to make a statement and then I will proceed with those actions. To Chair Pardo, Chair Pro Tem Davis, Members of the District Board, as well as in your role as City Council, and Mayor Masters, as well, although he's not here, and the residents. In 2009 you hired one -- me as your City Manager. And over these past seven years I have come to know and love the City of Riviera Beach. And by the City I mean our residents. Because this is a city of people. I'm here tonight to acknowledge a keen error on my part as the City Manager by not notifying the Utility District Board of the Health Department violations in a -- in a timely manner.

It was my intention to have that on the March agenda; however, we did not have a Utility District meeting during that particular time, which was eventually canceled but we have this Special Meeting tonight. In that presentation I was going to advise you of the steps that you, the residents and the board, need to be aware of as it relates to our aging infrastructure. As the Utility District Board, you have already recognized that and have put steps into motion in order to deal with that. However, I was truly unaware of the continuous and repeated violations the Utility District had received.

In the seven years since I've been here the City of Riviera Beach have moved forward and it's been in a tremendous way under my administration. The unemployment rate has dropped significantly in this city from double digits to single digits. The economic downturn had significantly impacted the City and we asked the citizens to bear with us and asked our employees to sacrifice through furloughs so no one could make the ultimate sacrifice of not having a job. I implemented a plan to provide customer service training to our employees so that we could improve our service to our customers. We are a better place as we speak but there is still much that still needs to be done.

We were able to move the City's bond rating from a B when B -- when I got here now to an A, and in some cases an A plus. The City is seen highly as it relates to our debt management and your guidance as to how we were to move forward. These efforts alone have saved millions of dollars in future interests to be paid. When I arrived the Utility District was in dire need of replacement due to use and aging. And my commission and you approved the recommendation for a master plan to deal with water and wastewater. That we could deal with our issues so that we would not have future problems in our infrastructure. And a financing mechanism to secure the residents received the highest quality of water, had -- has been produced.

Additionally, the Utility District achieved a consumptive water use permit which allows the City to withdraw a specific amount of water from the underground aquifers. When I arrived your permit had been expired more than 10 years. We received that permit, a 20-year permit. We didn't get a 10-year permit; we got a 20-year permit which is the maximum that you can get. And we still have 16 years on that permit. As I mentioned, you approved in February of 9 -- of 2013, the master

plan. And we are moving forward with the implementation of that plan. Earlier this year you increased the wastewater rates. Because water and wastewater infrastructure was very old. This is initially a \$10 million project. The issues that we have with our system are long-standing issues.

Now that I am fully aware of the significant failure in the Utility District, we are diligently working to prepare this aging infrastructure. The trust of the residents has been violated. In such, I have relieved Mr. Aurigemma of his position with the Utility District and have began to implement the following steps and actions: In my firm belief with the interjection of Troy Perry, the Public Works Director, City Engineer, Community Development and the Purchasing Manager, along with outside consultants into the process at the Utility District, improvements can be rapidly made. In an effort to move forward and to address the concerns related to the water quality and compliance issues associated with the Utility District, I would like to highlight for you the steps that I have taken and areas that I would like for you to consider that will be brought back to you in final form for action at your next Utility District Meeting. I'll -- I'll hand you these. It's kind of hard to just follow the steps without actually looking at something.

**AUDIENCE:** (Inaudible).

**CHAIRPERSON PARDO:** All right. Before you continue --

**CITY MANAGER JONES:** And then I --

**CHAIRPERSON PARDO:** -- I just want the record to reflect that Mr. Guyton is on the dais and -- and the Mayor is in the room. Thank you.

**CITY MANAGER JONES:** Yes. In an effort to move forward, to -- and to address the concerns, water is very important. It's very important. I drink the water. I wash my clothes in the water. I cook with the water. I bathe with the water. I put the waters on my plants. And it is important. I do not want anyone to think for one minute that I did not and do not take our water delivery system to our residents, to our businesses and for our -- our visitors, that I do not take it seriously. In an effort to move forward and to address the concerns related to the water quality and compliance issues associated with the Utility District, I would like to provide the action steps taken by -- that I -- my office since this office was reported last week. Under the provision of the Emergency Procurement, on -- I directed the Purchasing Director to immediately find me a consulting lab that could test our water. We needed to start from a benchmark level so that we can determine where we are so that we can improve to move forward.

On Sunday, April the 24<sup>th</sup>, Jupiter Environmental Laboratories, Incorporated was hired under an emergency procurement to collect samples and to begin testing. A portion of those results were given to us yesterday and then the remainder of those are -- were available today. And further down on your agenda you will see a presentation from Jupiter Environmental Laboratories as -- as it relates to the samples that were taken Sunday and Monday with -- and all throughout the city, not

just concentrated in one area. On Monday, staff and I met with the Health Department representatives. You met the Director of the Environmental Health area on -- yesterday and I don't know, but he was requested to be here today. Mr. Mayer, thank you for show -- for being with us, and members of his staff.

I would like to proceed 'cause as we went through that basic discussion as I mentioned on yesterday, things were brought to light as it relates to process. I advised the Health Department of our desire as to how we would be notified of those violations and they agreed. We obtained a comprehensive understanding of the current violations to determine the actions required to take place. I assured them personally that I would be actively involved in making sure whatever they needed in order to make any decisions they needed would be done in a timely manner and they were agreeable to that to the point that they generally don't allow extensions on responses. And they awarded us and granted us an additional extension. Based on that meeting with the Health Department, the following actions were taken, as I mentioned. The Director has been relieved of his duties. And I have appointed Troy Perry from my office to oversee the day-to-day operations. I am seeking approval from the board verbally tonight and officially will bring back the resolution and the documents to hire a utility company or consulting firm to temporarily operate the Utility District and to perform a complete evaluation. Based on the outcome, we will know how to move forward and we will know that things are being done in a proper manner. This will be for both the water treatment and distribution, as well as the wastewater sewage collection.

I have reviewed the proposed Health Department consent order so that they can also assist us in creating an action plan so that we can implement the strategies that they recommend. You will get a timeline as to when those strategies will be implemented, the days that they should be completed. They will also review and assist with the implementation of the 180-day FDEP Protection Consent Order requiring and to implement the in-kind project that is within that agreement. That project was scheduled to come to you as a procurement item in April and it will be brought forward to you in your procurement meeting for subsequent meetings that you will be having.

So what would they do? They will also evaluate the overall Utility District and its operations. They will make sure that all of our employees are current on the current protocols and the ways that they need to be doing their respective jobs so that we can be in compliance with local, state and federal regulations. How to address sewage spills if that's necessary. One of the things that we learned with -- from the Health Department on Monday was that requirements changed as of April 1<sup>st</sup> and so we need to make sure that our employees are up on the current regulations and what needs to be required in order to have proper water treatment, a system of distribution, as well as our testing that's conducted in a timely manner according to the regulations.

I seek your permission at the next regularly scheduled Utility District meeting to form a Utility District Oversight Committee made up of residents appointed by you and will provide reports and recommendations to the board directly and we will also

have staff in Public Works, our City Engineer and others that may assist them in what they need to do. This board is intended to be an independent conduit for the board and the residents to receive information, as well as to know how we're doing within the area as it relates to the water. If approved, I will bring a recommendation for the potential composition of that board at your next -- and the bylaws and how they will operate at your next regular Utility District meeting. These are some of the steps that I have taken since last Thursday evening. They're not giant steps. But they were -- they were necessary steps. Again, I am committed to improving the water, improving the service to the delivery, to our residents, to our businesses, and to the community. I will entertain any questions that you might have about the action steps and what I've done.

**BOARD MEMBER DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am.

**BOARD MEMBER DAVIS JOHNSON:** Thank you, Miss Jones, for this presentation. The questions that I have begin with action one. And that deals with the outside consultant to take the water samples. I would like to know at what cost to procure the services of this company, number one.

**CITY MANAGER JONES:** Okay.

**BOARD MEMBER DAVIS JOHNSON:** Number two, I would like to know how long will we retain the consultant to -- to take continued water samples. But then I need to -- I guess I need to back up before I take action one and say to you -- and this absolutely has no bearing on Mr. Perry's ability, but where will the expert come into play in this temporary process until we transition, either with the hiring of a consultant or a firm to do the evaluation, because I think that the situation for me is dire enough to --

**CITY MANAGER JONES:** Yeah. Yeah.

**BOARD MEMBER DAVIS JOHNSON:** -- require an expert in that particular field. We've got to have someone who can pull it all together. I have no doubt that Mr. Perry is able and competent enough to handle the day-to-day. But when we talk about the samplings, the quality and all of the other things that were brought to light on last evening, I -- I do believe that it is important that we insert someone there with some expertise that is outside of our organization.

**CITY MANAGER JONES:** Yes. And I agree with you 100 percent. I have been given the names of three individuals that are retired.

**BOARD MEMBER DAVIS JOHNSON:** Uh-huh.

**CITY MANAGER JONES:** That have expertise and incredible records in this area. They're to all have their resumes to me no later than Monday.

**BOARD MEMBER DAVIS JOHNSON:** Uh-huh.

**CITY MANAGER JONES:** So that that individual who has run a utility district, that knows what needs to be done, can be given to you for consideration. But that's what we're doing. I -- there are three people out there that are giving me their names.

**BOARD MEMBER DAVIS JOHNSON:** And have we given some consideration -- you know, I'm a little bias and have we begin some consideration to Robert Weisman? He was the former County Administrator who is retired, but he started in water utilities and he, as county administrator and overseer of utilities, I think that he would be a consideration.

**CITY MANAGER JONES:** Well, I would love to reach out to Bob, as well. So that -  
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**BOARD MEMBER DAVIS JOHNSON:** I'll share his contact information.

**CITY MANAGER JONES:** Thank -- thank you.

**BOARD MEMBER DAVIS JOHNSON:** So on to -- that was action one. Action three. When we talk about your requesting our approval to hire a water utility company or consultant temporarily to operate the district, I want to know if you have established a dollar value not to exceed and then what is temporarily? How long are you anticipating that -- that firm or individual will work? And then I guess while we are working to bring in this outside consultant to do a complete evaluation, when will we then begin to advertise for a permanent Utility District director?

**CITY MANAGER JONES:** I will begin, well, looking at the job description and going through all of the appropriate steps for the advertisement of a Utility District director. I will bring that job description back to this board.

**BOARD MEMBER DAVIS JOHNSON:** Uh-huh.

**CITY MANAGER JONES:** And then I will go out. So I'm figuring 60 days, I should be able to have permission to go out and to begin to recruit for the permanent director in that particular area. If we can get that done faster, then I will bring that faster to you.

**BOARD MEMBER DAVIS JOHNSON:** Now, is a matter of -- could -- we don't have to wait for a meeting to get that information. You can --

**CITY MANAGER JONES:** Oh, no. I can get that to you.

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**CITY MANAGER JONES:** Yes. No -- no problem.

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**CITY MANAGER JONES:** As it relates to that. And as it relates --

**CHAIRPERSON PARDO:** Just -- excuse me a second. Let the record reflect that

Councilman Davis is on the dais. Go ahead.

**CITY MANAGER JONES:** The actual evaluation, I do not want to put a short timetable on a company.

**BOARD MEMBER DAVIS JOHNSON:** Uh-huh.

**CITY MANAGER JONES:** I -- you're talking possibly nine month at a minimum and maybe 12.

**BOARD MEMBER DAVIS JOHNSON:** Uh-huh.

**CITY MANAGER JONES:** Because you really have to see different things at different times of the year and different requirements.

**BOARD MEMBER DAVIS JOHNSON:** Just so that we could have a -- a -- a roundabout understanding of what we're looking at as it relates to time.

**CITY MANAGER JONES:** Yeah.

**BOARD MEMBER DAVIS JOHNSON:** Because I know that we didn't get in this position overnight and certainly it's not going to be resolved tomorrow. But I want to make sure that we do give the individual or company an opportunity to get in here and fairly and accurately evaluate what our shortcomings are.

**CITY MANAGER JONES:** Yes. I agree.

**BOARD MEMBER DAVIS JOHNSON:** And as it relates to your creation of a District Oversight Committee, and you -- you say that it will be made up of City residents. And I noticed last night we had a gentleman who was in the water industry. So as we are thinking about the makeup of this committee, I think that we need to have someone who has been in the industry, as well as our citizens who are concerned, on this board, because we need to make sure that those individuals that are representing us on that board can take in the information. And that is not disrespect but we -- you know, when you talk about water industry, there's usually jargon and there's usually information that kind of goes over our head. Because I know last night a lot of it went over my head and I -- I want it in plain speak. And we need to make sure that there is a good mix of individuals on that committee.

**CITY MANAGER JONES:** In fact, the gentleman from last night was the one that helped spark the idea to -- to do this. And definitely, it would be individuals of his caliber that we would definitely reach out to that would be a member. And, of course, like I said, all of those names will come from recommendations from you and we will bring that listing back.

**BOARD MEMBER DAVIS JOHNSON:** Okay. That's all for now. Thank you.

**CHAIRPERSON PARDO:** Okay. Thank you. Anyone else? Mr. Guyton?

**BOARD MEMBER GUYTON:** Yes, Mr. Chairman. Thank you. Let me first also

assure the residents that my primary concern is the -- the safety, the health and welfare of the residents of this community. Nothing short of that matters to me. So whatever it takes for this board to ensure that, that is what I'll be supporting. We were informed last night by the Health Department that our water is safe to drink, safe to bathe in and safe to cook with. We do have some work to do as it relates to keeping a proper mix with the chemicals in certain areas and throughout our community. But the water is safe and that needs to be understood. There are industry standards that have to be met and as long as I sit here, that is what I would demand. That's not an option.

Councilwoman Davis Johnson made a good suggestion about someone that I fully support. And I want to give that nod to him, Mr. Bob Weisman. Very experienced, very knowledgeable. He's knowledgeable about government in general and understand what it takes. So Miss Davis Johnson, thank you for that suggestion. And definitely has my support on -- on that. The other thing that is important, too, that Miss -- Miss Davis Johnson has mentioned is the -- the mix of the board that we put together. In addition to just laypeople, we need people with experience, as well, and knowledge about the industry. Sometime we get caught up with who supported us politically and all that. No. We -- we -- we need to understand that when we're dealing with the health and welfare of people, we need people -- some people -- some can be laypeople. But there needs to be people with some knowledge about the water utility industry and how it works. And that's going to be very, very important to me. The Health Department made some recommendations to us that we had not moved on. And I want to be informed when those people come on board. When I say people, those who may be overseeing this process. Those people -- I just want Miss Jones to hear me 'cause it's important.

**CITY MANAGER JONES:** Uh-huh.

**BOARD MEMBER GUYTON:** When those people come on board, those areas that the Health Department spoke about that had not been established, those need to be some of the first projects that we focus on and develop a plan of how we're going to accomplish them. And -- and it's important that we as a community focus on those issues that not just the Health Department has recommended, but what those in the industry know to be best practices to ensure that in our community our water remains safe as it is now. And never to be an issue about the quality of water. Lastly, Miss Jones went over some things that she has done since this surfaced. And some of those things dealt with personnel issues. Let me just say for the record as it relates to the personnel issues, that is what we hired a city manager for. So I would be deferring to the city manager as it relates to personnel issues and those related to personnel. It's those issues related to personnel issues. So -- but my main concern is the health and welfare of the residents of this community, a community that I love very dearly, where I was born and raised and I've been here for a long time. And I see that we're on a trajectory now that a lot of investment is coming into our community. And one of the things that we need to make sure of is that they understand that one, we understand the significance, not just of having quality water, but also having --



**FANE LOZMAN:** Point of order. This is not a political speech. It's --

**CHAIRPERSON PARDO:** Sir, please sit down.

**FANE LOZMAN:** -- (inaudible).

**CHAIRPERSON PARDO:** Go ahead, Mr. Guyton.

**BOARD MEMBER GUYTON:** So -- so -- so as -- as -- as we move forward in this community, we definitely can be proud that we're making a lot of progress and that the investments that are being made are being made because they understand that we have a quality community. And thank you, Madam Chair, and I'm just -- I'm -- I'm cautiously objective about the progress of these issues that are facing us in this Water Utility District.

**CHAIRPERSON PARDO:** Thank you. Mayor?

**MAYOR MASTERS:** Thank you. Thank you, Madam Chair. While I make these comments to the Manager, I'd like to ask a volunteer if you would come up here for a second. Anybody in the audience, if you don't mind. Just come. I have something I'd like to give you. Any volunteer? All right. I got one. The lady in the back. While she's coming, I think someone made a very good point last night and I just want to assure -- take this, please. And just go right out to that water fountain right there in the lobby and fill it up and bring it to me, please. Thank you. I just want to make the point. Someone made a very good point last night that -- that our water is safe and secured and I don't want to say one thing and do another and be hypocritical about it.

I do believe, I have full assurance in my mind and spirit, that the water at the time is safe to drink in the City of Riviera Beach and those other affected areas that -- could-have-been affected areas, rather, that serve -- that we serve. And I'm not going to just talk the talk and not walk the walk. And I know that everyone has their own personal -- my sister drinks bottled water all day and all this water, water. But I have always drank the City water and I don't have any reason to doubt it now. So I wanted the volunteer to just bring the water and I want to drink it publicly and let you know that I believe in our water. And I'll prove it by drinking it. So while she's doing it, Madam Manager, action number five is -- is a wonderful thing to always involve the residents. I think government -- and I've always said that -- is at its best when it's of the people, by the people, for the people, whatever -- whatever order that was said by Abe Lincoln. And I think it's a wonderful thing to appoint, to have this oversight by the Utility District. But I would -- I would ask that -- let me -- let me just drink the water. Just see this now. The Mayor's drinking the water.

**AUDIENCE:** (Inaudible).

**MAYOR MASTERS:** Now, you -- no, no. Now, I'll drink it -- I'll drink it as I drink it. I won't drink -- I'm an old man. I don't want to drink too much at one time. You come and drink some if you want some. We'll get you some. Don't -- don't -- don't tempt me, now. Okay. Let me go back. I think it's a good idea. And I would like for you

to think about -- and this is digressing for a moment off the -- off point but yet on point. I get personally -- the Office of the Mayor gets a lot of complaints in reference to our police department, although I do believe that our police department is doing a good job. But no department is perfect. And I would like for you to think about the same type of citizens' committee as it relates to our police department. It's just good to have citizens involved and I know Mr. Guyton means well and is correct when he said this committee should be made up of people who know about -- and I'll use the new word for the night, waterology, the study of water. But I -- that's a new word.

But he also said that he thinks the board should be mixed with laypeople, too. And I'm going to appoint a layperson because the people that got the knowledge is the one that messed it up. Sometimes you can have too much knowledge. Common sense is where I'm going to go with. Common sense is that sense that makes all other senses nonsense. And that's where I'm going to be. Also, Madam Manager, on number five -- I'm still there -- at the end it says that "will provide reports and recommendations to the Utility District Board directly and several staff members. Does that mean that several staff members will be -- I may not be reading this correctly. Does that mean that several staff members will be on the committee or the reports go to several staff members?

**CITY MANAGER JONES:** I would envision that you would have staff members that would serve not necessarily on it but kind of ex officio, because there's some times data and information is needed. And if they're there they can get the data, provide them with the data and the respective information that they need.

**MAYOR MASTERS:** Okay. And I appreciate that. But I would ask you to limit the number of staff members who serve on the committee. I would like to see this as -- truly as independent as possible. Maybe one or two but I think that if they get the information or have access to it is -- is your point. And it is well taken. Madam Attorney, this is in reference to the action that the Manager has taken in relieving the duties of the ex Utility Director. I do know that it is the Manager's call. It is her full responsibility. He worked for her. And it's her duty to do it.

And I appreciate the fact that as -- as you know, last night I asked for it to be done but I appreciate the fact that the Manager has used her own independent thinking and felt that it was in the best interest of all to do it. Now, my question is -- and I may not be asking it correctly, but is it possible that -- I think because of the -- the publicity that will come out of this action and whatever else that will go forward, is it possible for the -- this board to go on record to -- I'll use the word "ratify" for lack of a better word, but to ratify the Manager's action or some statement of support as we have done -- well, not this board. In the past there's been resolutions the board has done, other people have done and we've gone on record with a letter of support or something. And the "ratify" may not be the right word 'cause it's a strong word but would it be in order or could it be in order that the board will go on record supporting the actions of the Manager in this particular situation? And I'm talking about the Utility Board.

**CITY ATTORNEY RYAN:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am.

**CITY ATTORNEY RYAN:** That's an unusual request. Are you considering a written document or is it something you want to say? Because I think it was kind of clear that the City Council certainly was in favor of it last night. I mean, if you want to say you support the City Manager's decision, I think that's fine. But I'm -- I'm not really sure why would you have a need to ratify her decision? In some way to make it stronger, perhaps?

**MAYOR MASTERS:** No, I don't mean to -- to make it stronger or weaker. The -- the statement speaks for itself. And maybe ratification is not the correct word. And the -- one of the reasons I'm saying that, because the media is going to ask each one of us, one by one, Do you support that decision? Do you think the Manager did the right thing? And if the -- this board could collectively, individually would say yes, we support it. We support with the actions of the Manager and it's done. Nothing too sophisticated. Just some type of verbal or do you prefer for the media to speak to each one of us individually? 'Cause that's going to happen.

**CITY ATTORNEY RYAN:** Well, I -- I think it's probably better if it's your personal opinion because, you know, Mr. Aurigemma was terminated in the appropriate manner by his supervisor. He works for the City of Riviera Beach, not the Utility Special District. He works for the City of Riviera Beach. And that statement's already been made. I would not want anyone to walk away from the City saying that the only reason the Manager did it was because the board wanted her to as expressed by the board at a -- a Special Utility District meeting. So I think it's probably better if the board stays away from that. If you have your individual opinion, your opinion can be as a Utility District board member or it can be as a City Council person. But it's your opinion and not an official action of the City or the District. I don't --

**MAYOR MASTERS:** Okay. Thank you. I just wanted to ask 'cause I didn't know.

**CITY ATTORNEY RYAN:** No, that's fine. Thank you.

**MAYOR MASTERS:** Thank you, Madam Chair. That's all.

**CHAIRPERSON PARDO:** Thank you, Mayor. Okay. I'll make my comments. Miss Jones, I commend you for relieving the Executive Director of his position.

**MAYOR MASTERS:** That's what I was talking about.

**CHAIRPERSON PARDO:** I've worked with him for the past -- how many years was he here? Six? Five?

**CITY MANAGER JONES:** Five (inaudible).

**CHAIRPERSON PARDO:** Five years? Okay. And I found him to be very professional and a nice man. But he lost confidence. He lost my confidence when I

started reading everything. And found out that you were in the dark. A lot of people were in the dark over this. And you know, I live here, drink the water, bathe, cook, the whole thing. And, you know, he does, you know -- he -- does he drink the water during the week? I don't know. But you know, he doesn't live in the City. I was personally offended by him not alerting us to this situation. And it was, you know, the -- the past couple of days it's become very obvious that he lost the confidence in not just the council and, you know, his superiors, but the community. And if you lose, you know -- if you lose confidence from the community, it's done. And now it's going to take us a long time for the community to have the confidence again, the full confidence to turn on the tap and drink water or get in the shower and drink -- and bathe in the water. You know? And unfortunately he put us in that position.

**MAYOR MASTERS:** That's correct.

**CHAIRPERSON PARDO:** So the move that you made today, I believe, is the correct move and -- and I commend you --

**MAYOR MASTERS:** Yes.

**CHAIRPERSON PARDO:** -- for doing that. You know, going through your action plan, I agree with your action plan. I do like the advisory board. A mix of residents and then experts is great. We have a lot of engineers in this community and I'm sure they would be happy to serve. We had that gentleman come out last night, someone who has never been to a council meeting before who lives in the community and is willing to, you know, work with us. Training the employees. You can never give people enough training. And it was obvious by the reports when -- when employees are not following protocol, it's probably because they don't know. They didn't have the correct training. So you can't blame the employees. Again, it starts at the top.

**MAYOR MASTERS:** That's right.

**CHAIRPERSON PARDO:** So, you know, I -- I'm in full support of this. The recommendation to reach out to Bob Weisman was brilliant. You know, does he want to get back? I think some of us would be able to convince him since he mentored, you know, some of us. He may be willing to come in temporarily, at least, just to stabilize. And that's what really needs to happen right now. We need to stabilize that department. You need to hire real professionals. Not saying that Mr. Aurigemma was not a professional. But you -- you need to hire professionals. Current professionals who are on top of their game to stabilize the department.

And the -- the consultant that you hired to go out and do the water samples, again, they are an outside consultant. They went and gathered the samples themselves and then brought it back to their labs, unlike what we were doing and, you know, I mentioned it last night. I had a problem with that. For the City to go out and take the samples and then bring it to the -- you know, to the testing lab, I just look at that as a -- a break in the chain. So anyway, I am in support of the plan and, you know, it needs to be implemented immediately. The -- you know, the residents need to

know that we have stabilized the department. Their water is good water and we just need to move forward. And you know, this can never happen again, ever. Ever. Anyone else? Miss Miller, Mr. Davis?

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

**CHAIRPERSON PARDO:** Miss Miller, yes, please.

**BOARD MEMBER MILLER-ANDERSON:** I want to first start off by saying I appreciate the -- the action plan that has been developed and relieving Mr. Aurigemma of his duties. But I cannot ignore the fact that none of that probably would have taken place if we didn't hear about it from the news. And I -- I'm just still stunned as to how all of this took place over a number of years. And it went undetected for so long. I just want to first start out by looking at the action bullet number one with the purchase -- getting an outside consultant to review the information. How -- how did you -- did you randomly select it? Was it by a recommendation to get the Jupiter Environmental Laboratory? How did you go about getting them?

**CITY MANAGER JONES:** The Purchasing Director, to our benefit, his area of expertise in purchasing and experience he has is in utilities. So he called resources throughout Broward and Dade County and this company was recommended highly throughout as the firm that if they could do it, this is the one that we needed to go get.

**BOARD MEMBER MILLER-ANDERSON:** Did we contact more than one? We just went with the one? Because the thing is, I don't want to go with one that may give favorable test results, because it's someone that they knew or a family member or something to that nature. And I'm just really keeping it real at this point because I don't know what to believe or trust at this time.

**CITY MANAGER JONES:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** So I -- you know, I -- I would like to see us -- it seems that you've already hired them. But I think it would have made a little more sense had we picked a few and then went with the best ones. They gave their proposal or, you know, gave a presentation. I know we don't have a lot of time. But I mean, just to jump and go with one person or one group.

**CITY MANAGER JONES:** Uh-huh.

**BOARD MEMBER MILLER-ANDERSON:** I kind of have an issue with that because I -- I feel like at this point we need to have as much of an independent agency looking into this as possible because of the situation. That -- that's just one of the things. Let me get back to where I really was going with this, is that I appreciate what you did, because you're trying to amend the things that went wrong. But at some point we all have to face the fact that Miss Jones, you oversaw Mr. Aurigemma.

**CITY MANAGER JONES:** Right.

**BOARD MEMBER MILLER-ANDERSON:** And -- and the first thing is about that \$10,000 fine that was done -- paid on February 11<sup>th</sup>. Had he been given a reprimand prior, when that happened back in February or was the reprimand just done recently? Since they --

**CITY MANAGER JONES:** It was done in February.

**BOARD MEMBER MILLER-ANDERSON:** Okay. And then when that -- and I think we briefly talked about it last night on what is the process of -- do -- do you receive - - it almost put me back into mind with the Parks & Rec. situation with the OIG report where you -- you know, you signed off on things but for whatever reason you didn't know exactly what it was they were making the payments for. Is this the same type of situation? Because how was he able to get a \$10,000 check cut and -- and you not be aware of it?

**AUDIENCE:** Ooh.

**CITY MANAGER JONES:** Now, let me correct that.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Please do.

**CITY MANAGER JONES:** I was aware.

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

**CITY MANAGER JONES:** That's why there was the meeting in February.

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

**CITY MANAGER JONES:** 'Cause I was not going to sign it without having had that information.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So that was back in February.

**CITY MANAGER JONES:** And that's when we called everyone together, "Tell me what this is."

**BOARD MEMBER MILLER-ANDERSON:** And who was the "everyone"? Who -- who --

**CITY MANAGER JONES:** There was legal staff present. I had three, four people from Utilities present and two members from my staff in addition to myself. We -- we all were in that meeting.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So that was back in February, right?

**CITY MANAGER JONES:** In February.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Please help me to understand. I'm really trying to understand this. If -- if -- if the two of you, Miss Ryan and Miss Jones, knew about this in February, why didn't you all come to us? And I'm only speaking to Miss Jones right now and then I'll let Miss Ryan answer that in a minute. Why did you all not come to us back in February?

**CITY MANAGER JONES:** It was truly our intentions to put it on the March agenda because it needed a full presentation. And it could not be a one shot. As I mentioned earlier, I erred in not at least in writing -- instead of waiting on a meeting --

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh. Uh-huh.

**CITY MANAGER JONES:** -- informing you all about that.

**BOARD MEMBER MILLER-ANDERSON:** Well, why were the Utility District meetings canceled if we had that pending information that needed to get to us? Why did we cancel those meetings?

**CITY MANAGER JONES:** Your March meeting was canceled because that was the --

**BOARD MEMBER DAVIS JOHNSON:** Election.

**AUDIENCE:** Election.

**CITY MANAGER JONES:** -- yes, it was right in there -- not -- well, was it election? I believe that was the election week.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** And then, of course, April, one -- they should have had a meeting on the 18<sup>th</sup> but all meetings had been suspended after the 6<sup>th</sup> of April.

**BOARD MEMBER MILLER-ANDERSON:** Okay. But with something as serious as that, I'm sure we would have been okay with calling a Special Meeting just like we did for this here where we would have been able to meet and discuss those items. And then even with the other violations that were presented over the years, had you been aware of those violations at all, from 2010, from the time Mr. Aurigemma was there, from 2010 on? Any of those violations in 2010, '11, '12? All those different years?

**CITY MANAGER JONES:** The ones that were forwarded by Legal, I was made aware of. The others --

**BOARD MEMBER MILLER-ANDERSON:** And when was that?

**CITY MANAGER JONES:** -- I was not. They were -- they go back --

**CITY ATTORNEY RYAN:** No.

**CITY MANAGER JONES:** The violation was in '10.

**CITY ATTORNEY RYAN:** (Inaudible).

**CITY MANAGER JONES:** And I believe our -- in our research there was a payment in '11 that I knew nothing about. There was an acting director in that area. I'm trying to think of all of the dates of the -- the notices that we had received.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** In '14 that communication came. The City Attorney informed me and Mr. Aurigemma that she had received it and the Utility District Board was carboned on that and in that basic information. The ones from '15, I was not aware of until February.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Miss Ryan, you want to answer your part? Then I'll come back.

**CITY ATTORNEY RYAN:** Well, yes. First of all, we were made aware -- and I have a memo for the Council that I'll pass out later, which details everything that was done by my office. We were made aware, my office, on January 8<sup>th</sup> by Mr. Aurigemma when he walked over the notice of violations. I will make a long story short but --

**CITY MANAGER JONES:** Was it February or January?

**CITY ATTORNEY RYAN:** -- the City Manager's Office was advised. That was a Friday. Was advised on a Monday. We attempted to get an extension because Mr. Aurigemma wanted to fight the allegations that were in the -- the violations. But after we reviewed them carefully we realized that he was past his -- the time. And that's why he wrote in his memo that it was too late. We attempted to contact the Health Department to ask for an extension and they adamantly refused. And it was at that time that my office was told about the violations spanning a period of time. At no point prior to January 8<sup>th</sup> was my office made aware of any violations. There was the one violation in September 2014 that came to the Chairperson of the Utility District in care of my -- Pamala Ryan, City Attorney. And that violation was for \$500. Basically, now that I'm starting to understand this stuff, it was the same thing. But it was a small violation that was communicated to the board and to Mr. Aurigemma who explained -- he wrote a memo to the Manager explaining what the violation was about and apparently paid that -- that \$500 violation. The Chairperson received a dismissal of that claim which was -- it was sent to -- to her and not to the -- and not to -- that was Judy Davis at the time -- and not to Mr. Aurigemma. That is the -- the only thing that was in my file. The -- I don't have anything from 2010.

I'm not saying that something wasn't sent but if somebody can present it to me, that's fine. There was nothing in my file to indicate that my office was ever included in the past. Getting back to the more recent one, my office went back and forth with the Health Department. There were some irregularities from our standpoint in the service. I think that you and Mr. Aurigemma kind of got into it last



night about Marianne, his assistant, accepting service. But I think because it was a final order that the -- that they were giving, which -- and the statute says it should be given to the Executive Director, that may have been why she didn't accept it. I'm not sure. I don't know. But in looking at the paperwork, that -- that is -- that was a little bit different from the warnings that they'd received in the past. Anyway, after that the final order was entered. There was nothing for the City to do at that point except pay it or litigate it.

And that's when I had my staff write a memorandum to the Manager. She met with the Manager and -- and with the Manager's staff and it was -- the final order was entered on February 9<sup>th</sup> and it demanded payment on -- by February 11<sup>th</sup> or the -- we would have to go to -- we would have to go to a hearing on the substantive issues, which Mr. Aurigemma did not want to do. And a decision was made at that time to make the payment. My office was never given any documents back, which you'll have here. And it was my understanding that Mr. Aurigemma was handling the processing and the violation, because it was a very technical violation -- you all have the order -- and that he would be handling it from there. The new -- nothing happened after that, as Miss Jones stated. I -- I am assuming it was Mr. Aurigemma's decision to deal with this issue with the board at a Utility District meeting.

But since then we've had conversation. We found out there was a consent order which is even more detailed, and in speaking with the Health Department -- and they can tell you that the first time -- and my office participated -- was at the meeting on the new consent order when Mr. Aurigemma went down there a couple weeks ago and they gave the consent order to him at that time and said they would give us an opportunity to review it and make changes. So my office was going to go back and forth with them on that and we still intend to. And we met with them. They gave us an extension of time to do that. That consent order, unlike the previous orders, is over \$25,000. This last -- you -- the Manager does not -- even though she was going to report it to the board, she has the authority up to \$25,000. So she did not need to come to the board for the authority to sign off on that consent order because it was under \$25,000, being technical. Even --

**BOARD MEMBER MILLER-ANDERSON:** With the amount. I understand technical with the amount.

**CITY MANAGER JONES:** Right. But I had a right to report it.

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

**CITY ATTORNEY RYAN:** Yes. But I will tell you --

**CITY MANAGER JONES:** But I had a right to report it.

**CITY ATTORNEY RYAN:** -- but with this -- but with this consent order, the amount is over \$25,000 so that consent order, if accepted and they don't change it and I -- I'm -- you know, I'm -- we're working with them. Then it was going to have to come to the board no matter what because it was over the threshold of money that -- that

has -- that the Manager has the authority to spend.

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

**CITY ATTORNEY RYAN:** But I have a memo which gives you the whole --

**BOARD MEMBER MILLER-ANDERSON:** Can we get it now as we're going through this and talking or --

**CITY ATTORNEY RYAN:** Well, I -- okay. I -- well, I didn't want to distract you from the rest of it. But I'm happy to give it to you now. It's here.

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

**CITY ATTORNEY RYAN:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** Miss Jones, back to --

**CITY MANAGER JONES:** And -- and --

**BOARD MEMBER MILLER-ANDERSON:** -- go ahead. What are you saying?

**CITY MANAGER JONES:** -- and that was -- if you'll notice last night, I mentioned that there's also another issue that we needed to bring and that's going to be part of the -- rest of my conversation. And it's the one she just referenced. At no point did we know on this \$25,000 one, because it's even with a different agency.

**BOARD MEMBER MILLER-ANDERSON:** And when -- when did that one come?

**CITY MANAGER JONES:** Well, I was made aware of that on Friday, April the 22<sup>nd</sup>.

**BOARD MEMBER MILLER-ANDERSON:** And who -- who informed you of that?

**CITY MANAGER JONES:** Mr. Aurigemma in an -- in a -- a letter or e-mail he was making me aware that that one exists.

**BOARD MEMBER MILLER-ANDERSON:** Well, what were the violations on that? The same type or do you know specifically?

**CITY MANAGER JONES:** No. This is with another entity.

**CITY ATTORNEY RYAN:** This is a (inaudible).

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

**CITY MANAGER JONES:** This is with the Florida Department of Environmental Protection.

**CITY ATTORNEY RYAN:** I don't have one for you (inaudible).

**CITY MANAGER JONES:** And it deals with -- if you'll recall, he told you in his meetings that we had two sewage spills.

**CITY ATTORNEY RYAN:** I'm trying to put them in order (inaudible).

**CITY MANAGER JONES:** And when he talked about what those spills were and that they cleaned them up and that there was -- those are the two spills. So he verbally mentioned them in his Executive Director comments.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** But he never produced the documents and we did not know any documents existed until Friday.

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

**CHAIRPERSON PARDO:** That's concerning.

**CITY MANAGER JONES:** Well, that was when he wrote everybody and then that's when he put that information out.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** About that particular one.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So that's one we don't even know about.

**CITY MANAGER JONES:** Right. And then Miss Ryan and I talked on Friday when we got that, and then that's when we were able to ascertain the documents.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Did he say why he had not brought it to your attention?

**CITY MANAGER JONES:** He never did say.

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

**CITY MANAGER JONES:** I asked but did not say.

**BOARD MEMBER MILLER-ANDERSON:** All right. So in February -- on -- and I'm going to go back to the date of February 11 with the -- when the -- about the 10,000. Why didn't we put a corrective action plan into place at that time?

**CITY MANAGER JONES:** He was directed to develop a corrective action plan and to have it in 30 days and he did not. And in April when I asked about the action plan was when this other stuff began to surface. He was directed in that meeting. First of all, he was told that his behavior was unacceptable, told how he needed to respond in the future, and directed to do an action plan.

**BOARD MEMBER MILLER-ANDERSON:** Well, my -- Miss Jones, if he's been -- if this has been the attitude all along, I mean, why are we waiting till April? It sounds like he should have been gone a long time ago, to be very honest. Because he can't -- you know, you gave -- do you have the documentation to support where you

asked him to do that? And I don't want to belabor this, 'cause he's not here anymore.

**UNIDENTIFIED SPEAKER:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** But I'm just trying to establish a point. And my point is as the City Manager, if things are not done, something has to happen. We can't just say, He didn't do it. What did -- what did you do when he did not submit the plan in 30 days?

**CITY MANAGER JONES:** I told him that -- in fact, he knew then that his job was in jeopardy and that he either produced them or the action that did occur was going to occur.

**BOARD MEMBER MILLER-ANDERSON:** Was he given any kind of reprimand at that time?

**CITY MANAGER JONES:** He was -- there was the verbal in the meeting, as well as the progressive written warning, Here's what I -- you know, unacceptable. You will be further disciplined if this, and that was -- and now we're at this point now.

**BOARD MEMBER MILLER-ANDERSON:** That was in February when you did the -  
-

**CITY MANAGER JONES:** Yes.

**BOARD MEMBER MILLER-ANDERSON:** -- written -- the verbal and the written? Off the -- I know some of this stuff I said to you earlier and -- and I'm sure you may not have had enough time to go through it. But I'm sure you had a chance to look at it. Do you know how many consent orders we received from those agencies between 2010 and now?

**CITY MANAGER JONES:** We have begun to gather those and -- because we -- we knew we needed them and at this point what we're finding was those that are in your document are the ones that we have. There's a 2011. Well, the '10 offense, it was paid in '11.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** And going up to that. So they assure me -- I have not been through his files.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** But his secretary assures me that they don't have any others in their files.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Have you had an opportunity to check and see with Finance how many violation fines that we've paid between 2010 and -- and present?

**CITY MANAGER JONES:** There was a \$4,000 payment. There is -- from 2011, as well as the 10,000, the 500,000 --

**BOARD MEMBER MILLER-ANDERSON:** What's 500,000?

**CITY MANAGER JONES:** Not -- I mean, \$500. Sorry. Sorry. Sorry. Sorry.

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

**CITY MANAGER JONES:** \$500.

**MAYOR MASTERS:** They say we are (inaudible).

**CITY MANAGER JONES:** I've got too many -- yeah. There's just too many dots in here now. So those are the -- the payments. After -- you mentioned a \$2,600 or something last night?

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

**CITY MANAGER JONES:** Staff was sent back and they're still looking for a \$2,600 payment.

**BOARD MEMBER MILLER-ANDERSON:** Well, that -- that copy of that check was in this binder so somebody has it. They gave it to us. It was a copy of the check that said -- and I can't put my hand right on it right at the moment. But it's in the binder. So --

**CITY MANAGER JONES:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** -- that should be (inaudible).

**CITY MANAGER JONES:** \$4,500 and then, of course, the \$10,000 and those had been the -- the four. And then of course, you say you've got the one for 26.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So there's only four between 2010 and present that you're aware of?

**CITY MANAGER JONES:** That we have found. We're still looking. 'Cause when you talk about --

**BOARD MEMBER MILLER-ANDERSON:** Well, Finance --

**CITY MANAGER JONES:** -- 2010 systems --

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** -- you have to -- you -- you're going back into your archives on who was paid --

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

**CITY MANAGER JONES:** -- what.

**BOARD MEMBER MILLER-ANDERSON:** So you're saying these amounts are basically from 2011 to 2016?

**CITY MANAGER JONES:** Payments from 2011 to '16.

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

**CITY MANAGER JONES:** We have to go back and see if there were any offenses in '09 that could have been paid in 2010.

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

**CITY MANAGER JONES:** So now we're back on 2010.

**BOARD MEMBER MILLER-ANDERSON:** Okay. But this is it for what you have access to, which is 10,000 -- 2010 to 2016?

**CITY MANAGER JONES:** Currently.

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

**CITY MANAGER JONES:** Yes.

**BOARD MEMBER MILLER-ANDERSON:** Let's see. Now, I think you put it in here, too, the -- the Rule 62-560.410, talking about the Tier 2 public notice, requirements of the Utility District. And it's in the book.

**CITY MANAGER JONES:** Right.

**BOARD MEMBER MILLER-ANDERSON:** But it -- it talks about the requirements that's needed in order to notify the public of violations. And Miss Ryan, I -- I probably should have you chime in on this, as well. I have -- Walter can put the -- the rule up on the screen. And I just want to get a clear understanding from a legal perspective, as well, as to what this states. Do you have that, Miss Ryan?

**CITY ATTORNEY RYAN:** Not only do I not have it -- I don't have the book that you have. But I have to tell you the first time I ever heard about these notices was in our meeting with the Health Department.

**CITY MANAGER JONES:** Department. Yes.

**CITY ATTORNEY RYAN:** You would be better off asking them. This -- these water issues are so specific and we're just getting a handle on it. I'm not going to pretend that I understand all of their rules. I am trying to schedule a meeting with -- with -- a phone conference with their attorney because I have several questions that I need to ask her already, just trying to understand the proposed consent order because of the some of the technicalities. So I'm -- I -- I'm -- I'm being very honest with you. As I said, they're here. But for me to try to read that -- and I don't have your book so I -- I don't -- I really don't know what you're reading from. If you want me just to read it now and just give you my interpretation?

**BOARD MEMBER MILLER-ANDERSON:** Yes, please. Yes, please. If you'll read the --

**CITY ATTORNEY RYAN:** Sure but I --

**BOARD MEMBER MILLER-ANDERSON:** -- the -- I don't want to take up too much time.

**CITY ATTORNEY RYAN:** -- I don't know how I'm going to --

**BOARD MEMBER MILLER-ANDERSON:** But it's important because it's a process that takes place when we have a Tier 2 public notice that's needed. But as the attorney for the Utility District, you're not involved or need to be made aware of what these rules are?

**CITY ATTORNEY RYAN:** I have never been involved with this. If I feel like there -- there are things that are over my head, I am very quick to -- to call someone who is an expert. At one point we did have an attorney who helped us out on some issues when the water -- the District was created.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY ATTORNEY RYAN:** But if -- if we had been made aware of how detailed these issues were, I would have no problem reaching out to -- and we still may have to do it -- to an expert on -- on water issues. I can read a notice. I can figure this out. But in terms of -- and -- and I explained this to -- I explained this to the Health Department. In terms of whether some of the things that they're asking -- asking us for are reasonable -- and that's why we asked for an extension on the last one because we needed time to try to research it and -- and understand what our issues -- what issues we had. And the only thing we could come up with was a timeliness issue and they just said no. You know, if you want to appeal that decision, you can. And we would have but it still wouldn't have dealt with the substantive issues. I think these notice requirements are tied to the substantive matters and I would definitely need some kind of an engineer to tell us, because you -- you -- they mentioned Tier 2 public notice. I'd never even heard that phrase before the other night. Again, I'm happy to read it and -- and meet with the Department to try to -- to understand it, because I don't think this part is rocket science. But if we're -- if we're violating and I don't have the right person to tell me what a Tier 2 problem is, I don't -- I wouldn't know to say we needed to --

**BOARD MEMBER MILLER-ANDERSON:** If I could put my hand right on it. It's in here but you don't have the notebook. It's in here. Basically the Tier 2 is if there's any violations that occur, this -- these steps need to take place. And so all these violations that we've had all over the -- for going at least 2010 --

**CITY ATTORNEY RYAN:** Right.

**BOARD MEMBER MILLER-ANDERSON:** -- this is where this rule kicks in. And it -  
- it's a process of being able to inform the public of violations that have occurred.

**CITY ATTORNEY RYAN:** Right.

**BOARD MEMBER MILLER-ANDERSON:** So if you -- and I -- I do want this read into the record. So if you don't mind reading this. I know you say you're not familiar with it but I do want the public to understand what should have occurred when these violations were presented to the City.

**CITY ATTORNEY RYAN:** Okay. What part am I reading? The first paragraph?

**BOARD MEMBER MILLER-ANDERSON:** This -- as much as we can.

**CITY ATTORNEY RYAN:** Does anybody have a book?

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

**CITY ATTORNEY RYAN:** I'd rather read from the book. And when we met with them, I -- we talked about the Tier 2 and I was told that it consists of door hangers. It's not a boil -- it's not a boil-water notice. You have --

**BOARD MEMBER MILLER-ANDERSON:** Right. Right. No. This is just notifying them about the violations that have occurred.

**CITY MANAGER JONES:** It could be a door hanger.

**CITY ATTORNEY RYAN:** Okay.

**BOARD MEMBER MILLER-ANDERSON:** Yeah, just notifying them of the violations that occurred. Do you have it? Okay. While they're pulling that up, we'll come back to that, though. You got it?

**CITY ATTORNEY RYAN:** Okay. So I'll just start regarding. You let me know when you want me to stop.

**BOARD MEMBER MILLER-ANDERSON:** Well, I -- it's important that I -- and I -- I don't mean to belabor the point, but I want the public to know that when we were notified about these violations, these are the things that should have occurred.

**AUDIENCE:** Thank you.

**BOARD MEMBER MILLER-ANDERSON:** You got it?

**CITY ATTORNEY RYAN:** Wait a minute. It's 560. I think you gave me the wrong one. I need 62-560. You gave me 555. Sorry. We'll come back to that, I guess.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Well, if anyone else has questions they can until we come back around.

**BOARD MEMBER DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am.

**BOARD MEMBER DAVIS JOHNSON:** What I'd like to know is who's here that can



-- that can define Tier 2 notices?

**BOARD MEMBER GUYTON:** The Health Department's here.

**AUDIENCE:** Right here.

**BOARD MEMBER GUYTON:** Health Department?

**BOARD MEMBER MILLER-ANDERSON:** Yeah. The Health -- they definitely should be able to do it. Or --

**CHAIRPERSON PARDO:** Or our staff.

**BOARD MEMBER MILLER-ANDERSON:** Yeah. The Health Department can do it.

**CHAIRPERSON PARDO:** (Inaudible).

**BOARD MEMBER MILLER-ANDERSON:** The Health Department?

**AUDIENCE:** You got a staff.

**BOARD MEMBER DAVIS JOHNSON:** We got a staff person?

**CHAIRPERSON PARDO:** Oh, go ahead.

**BOARD MEMBER DAVIS JOHNSON:** Go ahead.

**AUDIENCE:** Let the staff person do it (inaudible).

**CITY MANAGER JONES:** Mr. Giles?

**CHAIRPERSON PARDO:** Mr. Giles?

**CITY MANAGER JONES:** Mr. Giles?

**ASSISTANT DIRECTOR RHOADS:** Giles Rhoads, Assistant Executive Director for the Utility District.

**CHAIRPERSON PARDO:** Good evening.

**ASSISTANT DIRECTOR RHOADS:** A Tier 2 violation will be a -- any violation that goes above the standard for MCLs.

**MAYOR MASTERS:** What's that? Say what that is --

**ASSISTANT DIRECTOR RHOADS:** And --

**MAYOR MASTERS:** -- MCL.

**ASSISTANT DIRECTOR RHOADS:** Minimum or maximum contaminant level. And the Tier 2 requires a notification if you go over the MCL in a form of something in a mailer, report it in a paper, hand delivery. In this case where notification should

have been reported to the public, there was a Tier 2 MCL for total coliforms. The samples in one month exceeded 5 percent allowable by the State (inaudible) --

**BOARD MEMBER MILLER-ANDERSON:** So wait a minute. So it's -- and I don't -- I'm -- I appreciate you coming up. So when that was identified -- I'm sorry. This was your question. It was. Let me stop. I'm sorry.

**BOARD MEMBER DAVIS JOHNSON:** I appreciate it.

**BOARD MEMBER MILLER-ANDERSON:** But -- but I -- I -- and I guess because he's --

**BOARD MEMBER DAVIS JOHNSON:** I mean, I'm going -- I'm going to the same question.

**BOARD MEMBER MILLER-ANDERSON:** -- explaining the Tier 2. Yeah. Go ahead. Go ahead. I'm sorry.

**BOARD MEMBER DAVIS JOHNSON:** Yeah.

**ASSISTANT DIRECTOR RHOADS:** Okay.

**BOARD MEMBER MILLER-ANDERSON:** I got a little excited.

**BOARD MEMBER DAVIS JOHNSON:** So there was -- there was an instance where we had an MCL that exceeded the State levels?

**ASSISTANT DIRECTOR RHOADS:** That is an instance in January and February.

**BOARD MEMBER DAVIS JOHNSON:** January and February 2016? Or '15?

**ASSISTANT DIRECTOR RHOADS:** 2016.

**BOARD MEMBER DAVIS JOHNSON:** 2016. And so at that time based on that exceedance -- because I do remember that statement from Mr. Mayer on last evening about it having to exceed, we didn't honor or follow through with the notification as was required?

**ASSISTANT DIRECTOR RHOADS:** That notification should -- once the exceedance is determined, a notification should be submitted to the customers of the utility within 30 days.

**BOARD MEMBER DAVIS JOHNSON:** Did that happen?

**ASSISTANT DIRECTOR RHOADS:** That did not happen for January. In February it is being drafted in to be submitted to customers of the service area of the Utility District.

**BOARD MEMBER DAVIS JOHNSON:** And do we know that did not happen?

**ASSISTANT DIRECTOR RHOADS:** The full knowledge on when the violations

came out was when I received a violation letter. On the exact date, I think, are March 7<sup>th</sup>.

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**ASSISTANT DIRECTOR RHOADS:** For the February and January data.

**BOARD MEMBER DAVIS JOHNSON:** So we're supposed to submit notice within 30 days to the users. The January and February notice of violations were not received by us until March?

**ASSISTANT DIRECTOR RHOADS:** The -- no, the violation -- the warning letter, I should say, from the Health Department for the violations came in in March. That's when I first learned about the -- the -- the MCL exceedance for coliforms on that.

**BOARD MEMBER DAVIS JOHNSON:** In March?

**ASSISTANT DIRECTOR RHOADS:** In -- right. So we would have to issue it, at that point 30 days. Within 30 days to issue a public notice. We've spoken with the Health Department. Well, I went to the City Manager's office about issuing a public notice for those violations.

**CITY MANAGER JONES:** And that is the one -- excuse me -- that was handed to them when they walked out from that meeting.

**BOARD MEMBER MILLER-ANDERSON:** Was hand -- handed to who? Who -- what are you talking about?

**CITY MANAGER JONES:** To Miss -- remember Miss Ryan said when they left the meeting it was handed to Mr. Aurigemma and that was the -- what is it, the March notification.

**CITY ATTORNEY RYAN:** That was -- no, that was for --

**BOARD MEMBER MILLER-ANDERSON:** That was a final order, right?

**CITY ATTORNEY RYAN:** -- the -- the --

**CITY MANAGER JONES:** March and April --

**MAYOR MASTERS:** (Inaudible).

**CITY ATTORNEY RYAN:** -- January and February --

**CITY MANAGER JONES:** -- offenses.

**CITY ATTORNEY RYAN:** -- offenses.

**CITY MANAGER JONES:** It wasn't delivered (inaudible).

**CITY ATTORNEY RYAN:** Right. It was not delivered --

**BOARD MEMBER MILLER-ANDERSON:** Pull your mike down.

**BOARD MEMBER GUYTON:** Miss Ryan, would you talk into the mike?

**CITY ATTORNEY RYAN:** Yeah. It -- I think it was not delivered until March as a notice letter. As a warning letter.

**ASSISTANT DIRECTOR RHOADS:** As a warning letter it was received --

**CITY ATTORNEY RYAN:** And the letter invited Mr. Aurigemma to come down to discuss the letter. And my Assistant City Attorney joined him and his staff at the Department for that meeting. And they listened to them. They talked about the issues. This is what I'm -- this is third hand. They talked about the issues and D -- I keep wanting to say DEP -- and the Health Department said, Thank you very much. We have something for you. And they gave him the consent order and by hand delivery that afternoon. And that was April --

**ASSISTANT DIRECTOR RHOADS:** That's the overall outline.

**CITY ATTORNEY RYAN:** Okay. There you go.

**ASSISTANT DIRECTOR RHOADS:** That happened two Fridays ago, April 12<sup>th</sup>, I think.

**CITY ATTORNEY RYAN:** Okay.

**ASSISTANT DIRECTOR RHOADS:** It would have been two Fridays ago.

**CITY ATTORNEY RYAN:** And the City was given until April 29<sup>th</sup> to review the consent order. And in our meeting yesterday they gave us an extension. And that's what staff is working on now. This -- the -- the consent order.

**CITY MANAGER JONES:** Can you read that from up (inaudible)?

**CITY ATTORNEY RYAN:** (Inaudible).

**ASSISTANT DIRECTOR RHOADS:** The overall items to be included in the public notice are the utility which exceeded the violation, the address, phone number of contact, the violation which occurred and the month it occurred, the potential risk to the public and population and with total coliforms. The overall risk to the population coliforms or indicator organisms in a water body or nature. And the potential risk of total coliform is not known to be a risk during -- over long-term exposure at all to the public for total coliforms. There are items to state how the system's doing at the current and present time. We fill out, you know -- if we are still under a TC positive or if we've resolved through the TC positive. And this all -- all this information is drafted into a public notice.

**MAYOR MASTERS:** I have a quick question. May I?

**BOARD MEMBER MILLER-ANDERSON:** Tonya's still got the floor.

**MAYOR MASTERS:** Oh, it was Miss Tonya (inaudible)?

**BOARD MEMBER DAVIS JOHNSON:** Go ahead.

**MAYOR MASTERS:** Okay. Just a quick question.

**BOARD MEMBER DAVIS JOHNSON:** I'm (inaudible).

**MAYOR MASTERS:** Was it -- was it your responsibility to get this notice out? Is that something you were -- within your --

**ASSISTANT DIRECTOR RHOADS:** It was the Utility District's responsibility.

**MAYOR MASTERS:** Okay. We understand that. But who was the person that was responsible to get the notice out?

**ASSISTANT DIRECTOR RHOADS:** It is the responsibility of the Utility District to get the notice.

**MAYOR MASTERS:** So you're gonna answer the question, sir. Thank you.

**CHAIRPERSON PARDO:** All right. Any other questions for Mr. Rhoads?

**BOARD MEMBER MILLER-ANDERSON:** No, I don't have anything for him.

**CHAIR PRO TEM DAVIS:** I had a few but I don't think it was for Mr. -- actually, I do have one or two.

**CHAIRPERSON PARDO:** Go ahead. Since he's here.

**CHAIR PRO TEM DAVIS:** I remember a few meetings back in the Utility District, there was a conversation about giving public notice when we do -- when they go out to the -- the fire hydrants and they blow the chlorine and the -- the -- what do they call that testing?

**ASSISTANT DIRECTOR RHOADS:** Flushing?

**CHAIR PRO TEM DAVIS:** Flushing? Yeah. And we was having a discussion about flushing. And in that conversation I was asking staff at the time, which was you and Aurigemma were here, how are we giving our residents notice that this is getting ready to happen, because the major concern was with the chlorine -- with the chemicals that's in the water, let's say if you're a diabetic, how do we warn our people, other than just putting it in our water bill? How is that process any different from this here on how we do public notice?

**ASSISTANT DIRECTOR RHOADS:** I'm not sure who requested to get public notice for fire hiding -- hydrant flushing. It's not -- it's not --

**CHAIR PRO TEM DAVIS:** Well, I'm --

**ASSISTANT DIRECTOR RHOADS:** -- a requirement to give public notice for fire

hydrant flushing.

**CHAIR PRO TEM DAVIS:** -- well, I'm going to tell you why it -- it was discussed in this meeting and it came up, and I tried to get support on it because I know we have quite a few residents who are on dialysis. And they were talking about flushing and how it impacts diabetic patients. I mean, residents. Dialysis. The question was there because the only notice that was discussed in that meeting was put in the water bill. And I was trying to get the support from the board to give us other options 'cause some people may not necessarily see the small print in their water bill. We can put some things on doors, that process. Do you recall that meeting? I think it was in December or January.

**ASSISTANT DIRECTOR RHOADS:** We were given notices for --

**CHAIR PRO TEM DAVIS:** It was around the same time all this stuff was transpiring.

**ASSISTANT DIRECTOR RHOADS:** -- it would have been -- what you're referring to is giving notice -- what I believe you're referring to --

**CHAIR PRO TEM DAVIS:** Yeah.

**ASSISTANT DIRECTOR RHOADS:** -- is giving notice when we were doing a chlorine burn at the water treatment --

**CHAIR PRO TEM DAVIS:** Correct. Correct.

**ASSISTANT DIRECTOR RHOADS:** -- plant.

**CHAIR PRO TEM DAVIS:** Correct. That's exactly what it was.

**ASSISTANT DIRECTOR RHOADS:** And we try to give a public notice in the newspaper. Residents that are on dialysis, we like to give them a personal public notice on that.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**ASSISTANT DIRECTOR RHOADS:** And as well as big users like the VA Hospital, Pepsi Corp. and other industrial users that will be affected by that chlorine use.

**CHAIR PRO TEM DAVIS:** Okay.

**ASSISTANT DIRECTOR RHOADS:** Or that -- that boosted chlorine level, I should say.

**CHAIR PRO TEM DAVIS:** So there was no policy that address -- that's just something y'all just recommended, just came out the wind with, or that was something that we have a policy in place that says --

**ASSISTANT DIRECTOR RHOADS:** Yeah. We do provide that information to our Information Officer, Rose Anne --

**BOARD MEMBER DAVIS JOHNSON:** Brown.

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

**CHAIR PRO TEM DAVIS:** Brown. Miss Brown?

**ASSISTANT DIRECTOR RHOADS:** Rose Anne Brown.

**CHAIR PRO TEM DAVIS:** Okay. The reason I ask that -- you can have -- the reason I ask that, 'cause I do remember us having this conversation. And I'm trying to find out with public notice. That process was something we were doing 'cause we understood of the burn that was going on, how important it was. When the conversations were coming up in July all the way throughout the year, what were some of the conversations that were happening between you and Aurigemma on how y'all were going to get the public notice out? Or you all never had that conversation whatsoever?

**ASSISTANT DIRECTOR RHOADS:** It could be a possibility we -- I'm -- I'm not recalling the conversation.

**CHAIR PRO TEM DAVIS:** Okay.

**ASSISTANT DIRECTOR RHOADS:** The other public notice we do do --

**CHAIR PRO TEM DAVIS:** Uh-huh.

**ASSISTANT DIRECTOR RHOADS:** -- is for planning water shuts [sic] downs during construction projects. Some water -- sometimes the water mains need to be isolated to --

**CHAIR PRO TEM DAVIS:** Okay.

**ASSISTANT DIRECTOR RHOADS:** -- tie in new water mains or cut out valves from a water main. We provide customers 48-hours notice of a --

**CHAIR PRO TEM DAVIS:** Uh-huh.

**ASSISTANT DIRECTOR RHOADS:** -- water main outage or --

**CHAIR PRO TEM DAVIS:** Okay.

**ASSISTANT DIRECTOR RHOADS:** -- or an isolation to perform construction.

**CHAIR PRO TEM DAVIS:** So when y'all was making important decisions, who were you all seeking legal -- legal opinions from?

**ASSISTANT DIRECTOR RHOADS:** I believe the information on providing public notice for planned water outage is written into the code book.

**CHAIR PRO TEM DAVIS:** No, who were you getting legal -- did you ever receive legal opinion as you did conduct the business throughout your daily routine if need

be?

**ASSISTANT DIRECTOR RHOADS:** (No audible response).

**CHAIR PRO TEM DAVIS:** 'Cause I'm trying to find out what's going on here because I hear my attorney say some of this stuff, verbiage, requires a lot of specialties, which I can understand. But I would like to know, were you all at that time, as a staff, operating without any legal opinion?

**ASSISTANT DIRECTOR RHOADS:** Legal opinion in regards to a particular situation? I'm not -- not --

**CHAIR PRO TEM DAVIS:** This situation. This situation that we're discussing today. Let's go -- let's go with that 'cause I don't want to be too broad with you.

**UNIDENTIFIED SPEAKER:** Yeah.

**ASSISTANT DIRECTOR RHOADS:** About public notification?

**CHAIR PRO TEM DAVIS:** The notification, yes.

**ASSISTANT DIRECTOR RHOADS:** On water shutdown or public notification for --

**CHAIR PRO TEM DAVIS:** Public notification.

**ASSISTANT DIRECTOR RHOADS:** -- exceedance on MCL?

**CHAIR PRO TEM DAVIS:** Uh-huh. For the consent orders.

**ASSISTANT DIRECTOR RHOADS:** The consent orders?

**CHAIR PRO TEM DAVIS:** Yes.

**ASSISTANT DIRECTOR RHOADS:** The -- my understanding is Legal was involved on the consent orders with -- with City Legal and assistance through City's legal personnel.

**CHAIR PRO TEM DAVIS:** So our Legal Department was with y'all when y'all were doing the consent orders?

**ASSISTANT DIRECTOR RHOADS:** On the latest received consent order --

**CHAIR PRO TEM DAVIS:** All of them. The last year.

**ASSISTANT DIRECTOR RHOADS:** The latest received consent order there was a lawyer in the room representing --

**CHAIR PRO TEM DAVIS:** Who was it? Who was it?

**AUDIENCE:** Our lawyer.

**ASSISTANT DIRECTOR RHOADS:** Lina Busby.



**CHAIR PRO TEM DAVIS:** Lina Busby? She's our Assistant Attorney?

**CITY ATTORNEY RYAN:** Yes. And that's what I stated, that --

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** -- on the -- we only -- the City has only had one consent order that I know of, and that's the one that we were just given on April 12<sup>th</sup> or 13<sup>th</sup>. That's the only one that I know of.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** The notices of violation from the -- on the \$10,000, that wasn't a consent order. That was a different type of order.

**UNIDENTIFIED SPEAKER:** Okay.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** But it was not a consent order. And you can just ask me these questions. We --

**CHAIR PRO TEM DAVIS:** No, no, no, no. No, you're okay.

**CITY ATTORNEY RYAN:** No, I'm just saying we were never involved with the notices. If they had asked we would have helped them. But when we discussed this yesterday, the Health Department said they know the notices. They've done the notices before.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** That it wasn't something that our staff should not have been familiar with. But if they requested information, we would have been happy to provide it. The information -- the -- the services that we have provided to the Utility District and to other departments, we review their documents. We help them create RFPs. Anything that they ask we require -- that's why I ask them to put it in writing.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**CITY ATTORNEY RYAN:** Through memos so that we can give it the kind of review that is necessary. If we don't know the answer we find the answer. We research it. We provide them with cases or we would have found this rule if they'd asked us to.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** But, you know, in all of our work, we work directly with Mr. Aurigemma. So it may be a little unfair -- and you should be very careful how you answer -- to ask Mr. Giles if he is not the person who we dealt with. And -- and --

**CHAIR PRO TEM DAVIS:** Only reason I ask him, because you're the second man

in the line, right? You -- you work right up under Aurigemma, correct? And he's --

**ASSISTANT DIRECTOR RHOADS:** I'm the Assistant Director.

**CHAIR PRO TEM DAVIS:** You're the Assistant Director. And yesterday he spoke that he will have his meetings with you when I asked in regards to the gentleman that's sitting behind you. And he will meet with him as he's passing by. So which tells me that you all talked daily.

**AUDIENCE:** Yes.

**CHAIR PRO TEM DAVIS:** In any of those conversations, did you all talk about how you're going to -- no, let me ask you this question: Did you ever all notify anybody other than Chairperson Judy Davis at the time? 'Cause it said recently that the chairperson in 2014 was notified of the consent order.

**CITY ATTORNEY RYAN:** But that was -- that was not through them. That came from the Health Department.

**CITY MANAGER JONES:** That was -- that was (inaudible).

**CHAIR PRO TEM DAVIS:** But why would they send it to her?

**CITY ATTORNEY RYAN:** I have no idea.

**CHAIR PRO TEM DAVIS:** Did she ask for it?

**CITY MANAGER JONES:** No.

**CITY ATTORNEY RYAN:** No. It was sent to her through me. I don't know why. And that's --

**CHAIR PRO TEM DAVIS:** So they sent it to you and then it got to her?

**CITY ATTORNEY RYAN:** No. It said to Judy Davis, Chairperson of the Utility District, in care of City Attorney Pamala Ryan.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** And you have that in the packet that I've provided.

**CHAIR PRO TEM DAVIS:** So is that normal practice?

**CITY ATTORNEY RYAN:** No. It was -- I -- I don't know. It was the first time I'd ever received one. And it's the last time I ever received one.

**CHAIR PRO TEM DAVIS:** And they sent you one in September?

**CITY ATTORNEY RYAN:** That was September 2014.

**CITY MANAGER JONES:** This is September.

**CHAIR PRO TEM DAVIS:** For -- for Miss Davis?

**CITY ATTORNEY RYAN:** Yes.

**CHAIR PRO TEM DAVIS:** But since then they haven't sent one?

**CITY MANAGER JONES:** No.

**CITY ATTORNEY RYAN:** I've never received another one since that day.

**CHAIR PRO TEM DAVIS:** Did they ever send one to you, Miss Pardo, since you're the Chair?

**CHAIRPERSON PARDO:** And I've been the Chair three or four times and never received anything from them.

**CHAIR PRO TEM DAVIS:** Never sent you one? Okay.

**CITY ATTORNEY RYAN:** We brought that up. We brought that up at our meeting.

**CHAIR PRO TEM DAVIS:** Okay. No, no, no.

**CITY MANAGER JONES:** With the Health Department.

**CITY ATTORNEY RYAN:** And --

**CITY MANAGER JONES:** Yeah.

**CITY ATTORNEY RYAN:** -- you know, their attorney's only been there for three years so she really didn't have an answer about that.

**CHAIR PRO TEM DAVIS:** Okay. I -- I'm just going to reserve the rest of my questions until we get through the rest of the agenda for -- when we get to the Health Department. But the one thing I would like to discuss is -- 'cause I think this agenda's kind of out of whack, to be honest with you. You can have a seat, sir. You did a great job.

**ASSISTANT DIRECTOR RHOADS:** Yeah.

**MAYOR MASTERS:** I'm going to be calling you back so don't --

**CHAIRPERSON PARDO:** Mr. Rhoads?

**MAYOR MASTERS:** -- go too far.

**CHAIR PRO TEM DAVIS:** No, I don't want him just standing there like that. My -- my concern is -- and Miss Jones, I respect your recommendation and you putting together a plan. I respect that. But at some point this board need to have someone to do an independent study, as well, to report to this board. I would feel even more comfortable with that. I wouldn't stop what you're doing but along with that, I would like for this board to have a consideration about hiring someone to represent the board and report to the board, understanding what's going on day to day through

this investigation, understanding what happened, how -- where we are, what this new company's doing, are they doing us any good or are they overcharging us for this, are they overcharging us for that.

I would feel more comfortable having somebody that represents this board. I remember last night Margaret -- not Margaret -- Mary Brabham came to the meeting and she talked about our former Mayor Michael Brown on how he handled the Honeywell situation when he went to Washington, D.C. with the residents and they had a meeting and brought back millions of dollars to address the issue with Solitron. I didn't know anything about that until last night. And -- and to be frank with you, I talked to her outside. And then what I did was I said, Well, you know what? I want to have some conversations with this board at this time to consider someone who went and got us millions of dollars and to protect the residents, to potentially hiring the Brown law firm to represent this board, to give us an independent and report to us on this Utility District issue. That question goes to my colleagues on this board and I'd like to hear your thoughts on that. But, Madam Chair, you have the floor.

**CHAIRPERSON PARDO:** So is this about Michael Brown, hiring Michael Brown or hiring someone else?

**CHAIR PRO TEM DAVIS:** Oh, I'm being very specific. The reason I say Michael Brown, because she brought it up last night.

**CHAIRPERSON PARDO:** Oh, okay.

**CHAIR PRO TEM DAVIS:** And then I did some research myself and I found out that he --

**CHAIRPERSON PARDO:** Well --

**CHAIR PRO TEM DAVIS:** -- brought millions of dollars back to this community, which we all needed. Solitron and that situation with Honeywell was a -- was a travesty. And that was something that got the ball moving, what put us in position to survive, 'cause if it wasn't for him, we'd have many people that may be dead today. And whether people may not like him politically, the man got the job done. And I'm not going to put politics over the people's lives. If someone can go to -- to the federal government and get a meeting in Washington, D.C. and bring millions of dollars back, if you can find someone better than him, I'd like to hear it on the floor. And I won't push that. But right now my recommendation is for us to discuss of hiring Brown law firm to report to this board, to do an independent study along with Miss Jones' consultant that she's hired so we can get our day to day -- I mean, we need to have somebody that we can trust -- 'cause I don't trust nobody right now. I don't.

**CHAIRPERSON PARDO:** Well, that's fine.

**CHAIR PRO TEM DAVIS:** I -- I don't. I don't trust anybody right now. (Applause).

**CHAIRPERSON PARDO:** Please.

**CHAIR PRO TEM DAVIS:** No disrespect, being professional. I love this plan. But when I first -- and I do apologize for walking in late but when I walked in this meeting it was like a waltz and now I feel like someone's doing the boogie. I mean, the situation is something tragic happened. Aurigemma is here. His name is coming up. He's not here and that's not fair to him because he can't answer the questions that we need to do and now we got his assistant here trying to ask him questions. You know? Something happened. This is -- there was a culture over in the Utility District. Residents complained about it. It happened -- things happened in this meeting. Board members gave him his money back. He got -- I mean, what -- what do we do?

I want to hire somebody that cares about Riviera Beach. That's it. And is going to report to all of us, give you input if you don't -- you know, I mean, if it's good input, who loses? No one loses. But we need to find a way to -- to have transparency for this board. But I'm not going to harp on it. I just want to see how my colleagues -- matter of fact, I'm going to put a motion on the floor. I'd like to put a motion on the floor for this board to consider hiring former Mayor Brown law firm to do an independent study of the Water Utility District and its operation and what's going on moving forward with this plan. May I have a second?

**CHAIRPERSON PARDO:** Is there a second?

**BOARD MEMBER MILLER-ANDERSON:** I'll second for discussion.

**CHAIR PRO TEM DAVIS:** Yeah.

**CHAIRPERSON PARDO:** Second. Okay. Miss Miller-Anderson.

**BOARD MEMBER MILLER-ANDERSON:** I mean, I -- I don't have any problems with that but I just want to make sure that we -- as I just said a few minutes ago with this laboratory group, consultant group that was hired, I -- I want to make sure that we get enough individuals to be able to select from. And I mean, if he's the best then he's the best. But I just, you know, I -- and like I said before, I -- not that I don't trust Mr. Brown. Of course not. But I just want to make sure that we're looking at this holistically and not just randomly throwing names out there. I want to look at people's qualifications, what they've done. I have -- I've heard about the Honeywell and -- and the Solitron event. But I'm -- at this point right now I'm not in a position to just jump at a name. That's just because I -- I want to do a little more homework for myself and it's just new to me at the moment. And I -- like I said, I have not done any homework on that part of it in terms of what was done 20, 25 years ago with Solitron. But I'm -- I'm definitely open to the name that is have been put out there. I do think there needs to be an investigation so I'm certainly in support of that.

**BOARD MEMBER DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am.

**BOARD MEMBER DAVIS JOHNSON:** I take the same position in that I am not fully aware of everything that transpired as it relates to the Solitron issue, but I do believe that we have to put forth a process and not violate our own procurement processes in doing this. I -- I would love to include the law offices of Michael Brown as a consultant but we also have to keep in mind that we're talking about two different things. The consultant that you hired was simply to do water samples and water collections. And we need to -- if we are going to look at other labs or firms that may be able to provide that service, then that's a separate procurement. But what we're talking about is the point that you raised as it relates to identifying a consultant or a firm to give us that comprehensive study. I do believe that Mr. Brown should be include -- that law firm should be included. If they realize some success in the issues, they certainly should be included in the process. You know, I am sitting here literally heartbroken at the mere fact that our systems are broken. And we seem to continue to operate in the manner in which we have always operated, which has not always been the right way.

**AUDIENCE:** That's right.

**BOARD MEMBER DAVIS JOHNSON:** And my mother says to me that doing the same things, expecting different results --

**AUDIENCE:** Uh-huh.

**BOARD MEMBER DAVIS JOHNSON:** -- is insanity. And the insanity has to stop. We are so totally out of control and we are just doing things. It's a knee-jerk reaction.

**AUDIENCE:** That's right.

**BOARD MEMBER DAVIS JOHNSON:** It is reactionary. And we've got to stop it. We've got to put processes in place. We've got to honor our own processes and we've got to stop flying by the seat of our pants. If -- if -- if our rules require that we put those names out, then, dad-gone it, let's put these names out here and let's get it done. We've just gotta stop this. And if we don't, we will be worse off than we are now. And so when does it end? Tonight it ends for me. Because I need to see processes in place. I need to make sure that we are honoring our code that which it is, even though we know we need to go back and review our ordinance. But then we also have to look at policies and procedures as it relates to how the operation of the Water Utilities Department is handled. I mean, they are operating in the dark, it appears, and it seems to me that we are asleep at the wheel.

**AUDIENCE:** That's right.

**BOARD MEMBER DAVIS JOHNSON:** And we need to wake up.

**MAYOR MASTERS:** Right. Right.

**BOARD MEMBER DAVIS JOHNSON:** And so I'm challenging my colleagues to make sure that moving forward, that we have our processes, that we review these

ordinances, we review these policies, and everybody that is responsible needs to be held accountable. It is timeout for kicking the can. So that -- that's my position.

**MAYOR MASTERS:** Madam Chair?

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

**UNIDENTIFIED SPEAKER:** (Inaudible) great.

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

**CHAIRPERSON PARDO:** Go ahead, Mayor.

**MAYOR MASTERS:** Sir, please come back.

**CHAIR PRO TEM DAVIS:** (Inaudible).

**BOARD MEMBER GUYTON:** What -- what -- before -- are we still on the motion?

**CHAIR PRO TEM DAVIS:** I -- no, I have a motion I'm still trying to address.

**CHAIRPERSON PARDO:** Yeah. Hold on, Mayor.

**BOARD MEMBER GUYTON:** There's a motion (inaudible).

**MAYOR MASTERS:** Oh, okay.

**CHAIRPERSON PARDO:** There's still a motion on the floor.

**BOARD MEMBER DAVIS JOHNSON:** There's still a motion on the floor.

**CHAIRPERSON PARDO:** All right. Mr. Guyton, go ahead. I heard you.

**CHAIR PRO TEM DAVIS:** We're still on my motion.

**MAYOR MASTERS:** Did somebody carry it? Oh, you're commenting on the motion?

**BOARD MEMBER GUYTON:** Yeah. On -- on the motion.

**CHAIR PRO TEM DAVIS:** I was gonna (inaudible) my motion.

**CHAIRPERSON PARDO:** All right. On the motion.

**BOARD MEMBER GUYTON:** The -- first of all, let me ditto to Miss Davis Johnson, what she said. I agree with her. But the -- the other part of that is that before we even move in that direction, it is my opinion that we need to establish a scope of service of what we want these people to do.

**CHAIRPERSON PARDO:** Amen.

**BOARD MEMBER GUYTON:** That hasn't been, to me, clearly defined. And it is important to me, having worked in government all my adult life, that the scope of

service needs to be established after which we can move forward to try to determine what skill set would be best to fulfill the scope of services that we're looking for. I think this is a little -- my opinion, a little premature. But it's my hope that we'll take a step back, establish what we're looking for and then move forward from -- from that point on. So I won't be supporting this motion tonight because I think it's a little premature.

**BOARD MEMBER DAVIS JOHNSON:** If -- if I may, Madam Chair?

**CHAIRPERSON PARDO:** Go ahead, ma'am.

**BOARD MEMBER DAVIS JOHNSON:** The -- based on action number three, item three, there is an -- there is a broad scope, and I think that that lends itself back to the statement that I made. We have a procurement process. So those are just considerations. But we know that we want them to come in and perform a complete evaluation. So I believe that that does speak broadly to the scope.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**BOARD MEMBER DAVIS JOHNSON:** But we need to define it and refine it. But we know that that's what has to happen is that we need a complete evaluation. And let's follow the process.

**CITY MANAGER JONES:** Yes, ma'am.

**CHAIRPERSON PARDO:** Uh-huh.

**CITY MANAGER JONES:** And that's it. It's just -- this is a presentation of a broad scope. In order for us to procure we've got to develop a definitive scope and then we will do the procurement.

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

**CHAIRPERSON PARDO:** Yeah. And -- and I'm fine with that. I'm not fine with tonight hiring Michael Brown & Associates to represent us. We need to go out. We need to make sure we get the best firm to represent us and someone that truly has the experience to do it. You know, there's a lot of firms out there and I think they all need to compete for the job. And it's true. We do have a procurement policy that we have to follow.

**CITY MANAGER JONES:** IG would be (inaudible).

**CHAIR PRO TEM DAVIS:** Madam -- Madam Chair?

**CHAIRPERSON PARDO:** Yeah. Exactly. The IG will be all over us. I'm sure he's watching it right now. All right. Go ahead, sir.

**CHAIR PRO TEM DAVIS:** I -- I want to be very clear here. The -- the City Manager has been using her pen to hire subcontractors throughout her entire time that she's been here. This has nothing to do with procurement code. Has nothing to do with



it. Her pen, she has the power of the pen. Unfortunately, I'm just trying to do something to where I can trust moving forward. I -- I can't wait till another meeting. I've been fighting in -- in this -- for this city for the last three years since being elected. Having been supported. Aurigemma's been disrespectful from that board, disrespecting me, disrespecting employees. Nobody on this board, exceeding [sic] Johnson, Mayor and Miller, supported me. And so he runs wild throughout this city.

But we have someone on this item that no one -- no one's complained about it, how they got there. All I'm saying is we have someone from Riviera Beach, not Fort Lauderdale, that lives here, went to college, got educated in government, in law. Went to Washington, D.C. and brought millions of dollars back. And I'm not trying to slow down on behalf of the lives of residents. I do not want to break any laws. Let's be clear here. But I'm going to move expeditiously. At no point no one in the Utility District in our leadership, since the time we were find -- noticed in 2010 and '11 were moving fast and to show that there's urgency that they care about this city.

**AUDIENCE:** That's right.

**AUDIENCE:** That's right.

**CHAIR PRO TEM DAVIS:** I'm not waiting any longer. I'm going to push it to the line to protect our residents.

**AUDIENCE:** Call for the vote. Call for the vote.

**CHAIR PRO TEM DAVIS:** And I'm going to focus on somebody that -- one thing I know about it, that loves Riviera Beach. May not be the person that you love and like but when they -- when they walk up and down, they bleed Riviera Beach and they're not no dummy. And when they go to Washington, D.C., they know his name. He has a reputation and that's what's important. Now, that has nothing to do with violating no -- no laws and the OIG. Stop playing that game. City Manager has the authority to hire people up under her --

**CHAIRPERSON PARDO:** Huh.

**CHAIR PRO TEM DAVIS:** -- and they can report to this board. Now, if I'm wrong I will listen to the City Attorney to tell me I'm wrong and I will totally understand that. Madam Attorney, am I wrong that the City -- City Attorney -- the City Manager can hire someone up under her authority?

**AUDIENCE:** Yes.

**CHAIR PRO TEM DAVIS:** As a consultant?

**CHAIRPERSON PARDO:** Up to 25.

**AUDIENCE:** Shh.

**CHAIRPERSON PARDO:** Up to 25.

**CITY MANAGER JONES:** If it --

**CHAIR PRO TEM DAVIS:** Yes or no?

**CITY MANAGER JONES:** (Inaudible).

**CITY ATTORNEY RYAN:** Yes.

**CHAIR PRO TEM DAVIS:** Yes or no? I don't want no explanation. No, I'm asking her, not rest of the board.

**CITY ATTORNEY RYAN:** No, I want to give you an explanation.

**CHAIR PRO TEM DAVIS:** No, I don't want an explanation. Yes or no?

**CITY ATTORNEY RYAN:** Mr. Davis? The answer is --

**CHAIR PRO TEM DAVIS:** No. 'Cause I can -- I hear other conversations going on.

**CITY ATTORNEY RYAN:** Hold on. No, let me -- let me say this.

**CHAIR PRO TEM DAVIS:** No. No. No. 'Cause see, I --

**CITY ATTORNEY RYAN:** Mr. Davis?

**CHAIR PRO TEM DAVIS:** Hold on.

**CITY ATTORNEY RYAN:** Let me say this.

**CHAIR PRO TEM DAVIS:** Go ahead, Miss -- Miss Ryan.

**CITY ATTORNEY RYAN:** Okay. Thank you.

**CHAIR PRO TEM DAVIS:** Go ahead.

**CITY ATTORNEY RYAN:** The Manager has the authority up to \$25,000.

**CHAIR PRO TEM DAVIS:** Correct.

**CITY ATTORNEY RYAN:** However, this board does not have to go through procurement to hire an attorney who provides those kinds of services. Our procurement code --

**CHAIR PRO TEM DAVIS:** That's all I'm saying.

**CITY ATTORNEY RYAN:** -- allows you to do that as a board so if this board wants to hire a firm, you can hire a firm. If you want to get a -- if you want to just hire one - - a firm right now, you can do it. If you want to go out for -- for an RFP, we've done that before.

**CHAIR PRO TEM DAVIS:** (Inaudible).

**CITY ATTORNEY RYAN:** We went out for RFP for labor; we went out for different

things. You can do that. But professional services of this kind -- there are only certain kinds. But for legal services, this board can hire.

**CHAIR PRO TEM DAVIS:** Okay.

**CITY ATTORNEY RYAN:** But if you don't want to do it tonight, the Manager can do it up to \$25,000, if that's the desire of the council. One way or the other, it can be done. I just wanted to make it clear that you don't have to -- that you all have authority as a board.

**CHAIR PRO TEM DAVIS:** Well, I apologize but I'm hot --

**CITY ATTORNEY RYAN:** That's all.

**CHAIR PRO TEM DAVIS:** -- right now.

**CITY ATTORNEY RYAN:** I know. I understand.

**CHAIRPERSON PARDO:** Okay. So there's a --

**CITY ATTORNEY RYAN:** I was the hot the other night, you -- last night. So we -- we're all right.

**CHAIRPERSON PARDO:** -- so there is a motion and a second on the floor to hire -  
-

**MAYOR MASTERS:** Question.

**CHAIRPERSON PARDO:** -- Michael Brown.

**MAYOR MASTERS:** Question?

**CHAIRPERSON PARDO:** No.

**CHAIR PRO TEM DAVIS:** Attorney Brown.

**CHAIRPERSON PARDO:** No.

**MAYOR MASTERS:** A legal question.

**CHAIRPERSON PARDO:** Attorney Brown.

**MAYOR MASTERS:** I need to say something before the motion is carried. I haven't had an opportunity to say something. I support hiring Michael Brown, Attorney Michael Brown, former Mayor Michael Brown. He's done the work. He knows the work. He's gone to Washington. He was successful on --

**CHAIRPERSON PARDO:** All right.

**MAYOR MASTERS:** -- water. So anybody that has a degree in waterology ought to be hired now. He's the man.

**CHAIRPERSON PARDO:** Yeah. All right. So there's a motion and a second.

**BOARD MEMBER DAVIS JOHNSON:** Question.

**CHAIRPERSON PARDO:** Yes, ma'am.

**BOARD MEMBER DAVIS JOHNSON:** So we are -- the motion on the floor is to hire the law firm of Michael Brown to do what? What is it that we're asking him to do? Let me be clear, please.

**CHAIR PRO TEM DAVIS:** To follow -- to -- for legal advice on -- on the process and the way things have been going on through the Utility District, to guide us through this point now. We want some legal advice that every protocol has been done.

**CHAIRPERSON PARDO:** But it hasn't been done.

**CHAIR PRO TEM DAVIS:** Just -- we just need someone that understands water, to tell us that all the steps have been followed thus far and give us a report of what happened up until this point legally. That's it.

**AUDIENCE:** That ain't going to lie to you.

**CHAIR PRO TEM DAVIS:** That's it. That's it.

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

**CHAIRPERSON PARDO:** Hold on a second.

**BOARD MEMBER DAVIS JOHNSON:** Go -- go ahead. I'm formulating my question.

**CHAIRPERSON PARDO:** Oh, go ahead.

**BOARD MEMBER MILLER-ANDERSON:** So it's basically for him to do like a full investigation through the records over the years and see how things have been going and what --

**CHAIR PRO TEM DAVIS:** Correct.

**BOARD MEMBER MILLER-ANDERSON:** -- and he can give -- provide recommendations on how to make it better going forward?

**CHAIR PRO TEM DAVIS:** That's it. Legal advice. Legal recommendations.

**BOARD MEMBER DAVIS JOHNSON:** So this is not to conduct a complete evaluation of the overall water systems. This is to evaluate --

**CHAIR PRO TEM DAVIS:** No.

**BOARD MEMBER DAVIS JOHNSON:** -- what staff has done or not done?

**CHAIR PRO TEM DAVIS:** Correct. Correct.

**BOARD MEMBER DAVIS JOHNSON:** And how -- and what dollar value are we setting at this?

**CHAIR PRO TEM DAVIS:** The -- the (inaudible) is 25,000 so --

**AUDIENCE:** No. (Inaudible).

**BOARD MEMBER DAVIS JOHNSON:** Is it up -- what is -- what --

**CHAIRPERSON PARDO:** Twenty-five.

**CHAIR PRO TEM DAVIS:** What's the (inaudible)? What's the (inaudible), Madam -  
-

**CITY MANAGER JONES:** Twenty-five.

**CHAIR PRO TEM DAVIS:** Twenty-five.

**CHAIRPERSON PARDO:** And do we have a time frame on this?

**BOARD MEMBER MILLER-ANDERSON:** Can -- can I say something, please?

**CHAIRPERSON PARDO:** Go ahead.

**BOARD MEMBER MILLER-ANDERSON:** Like I said, clearly I'm in support of getting some truth because we have not received the truth in a few years. But I'm -- I'm not the one to just jump and do something and I feel like if I voted on this and said yes, I don't feel like I've done my due diligence. And I know, Mayor -- Attorney Brown is a phenomenal person. I would be doing a disservice to the City, I feel, if I just voted on something and have not done my homework. And that's just me. I -- I don't --

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

**BOARD MEMBER MILLER-ANDERSON:** -- I don't disagree with it at all. But I don't think that I should just flat-out --

**BOARD MEMBER GUYTON:** I think I was next.

**BOARD MEMBER MILLER-ANDERSON:** -- go and jump on it and --

**CHAIR PRO TEM DAVIS:** No. (Inaudible).

**BOARD MEMBER MILLER-ANDERSON:** -- and say we're going to do something when we really haven't developed a plan or what we want.

**CHAIRPERSON PARDO:** Right.

**BOARD MEMBER MILLER-ANDERSON:** I mean, I -- I just feel like we need to --

**CHAIRPERSON PARDO:** (Inaudible).

**BOARD MEMBER MILLER-ANDERSON:** -- kind of outline what it is that we're going to be looking for and in -- in a clear format, not that we're just going to hire him and have him, you know, just go through it. I -- I want -- I'm looking for some specifics, I guess, just so we can have some structure and organization to what it is we're actually looking for, so at the end we have an end result. God knows I'm -- I'm in support of Mr. Brown. He's -- but I just -- I just can't make a knee-jerk reaction to this tonight, being that this is my first time hearing about us doing this.

**CHAIR PRO TEM DAVIS:** Madam Chair, I don't want to --

**CHAIRPERSON PARDO:** No, hold on a second. sir.

**CHAIR PRO TEM DAVIS:** (Inaudible).

**CHAIRPERSON PARDO:** Mr. Guyton had the floor next.

**BOARD MEMBER GUYTON:** Oh, I was just going to reiterate.

**CHAIR PRO TEM DAVIS:** Yeah.

**BOARD MEMBER GUYTON:** This is what I requested, a defined scope of service before we even went here. So -- and I think that's what I'm hearing from my colleagues, too.

**CHAIRPERSON PARDO:** Absolutely.

**BOARD MEMBER GUYTON:** So that's still where I am.

**CHAIRPERSON PARDO:** Okay.

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

**BOARD MEMBER GUYTON:** I'm not prepared tonight without having anything as - - as -- nothing in front of us to define what the scope is, we -- we're kind of shooting from the hip, and I don't think that's the best way to do business for the City or the taxpayers.

**CHAIRPERSON PARDO:** Right.

**BOARD MEMBER DAVIS JOHNSON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am?

**BOARD MEMBER DAVIS JOHNSON:** May I offer a substitute motion?

**CHAIRPERSON PARDO:** Yes.

**BOARD MEMBER DAVIS JOHNSON:** If we are talking about going out for legal services, the conversation needs to be had, I would think, between the City Attorney and -- it just seems to me that if we're going out for additional legal services, that's

generally how that happens. It -- does it not?

**BOARD MEMBER GUYTON:** Yeah.

**CHAIRPERSON PARDO:** Uh-huh.

**CITY ATTORNEY RYAN:** It is. And I have some great ideas for what will go in the scope. There's a lot of stuff that needs to be done and it would not -- you -- you would not be hurting my feelings by getting someone from the outside to assist. There's a lot of information and we're a two-man operation. So I would be happy to develop a scope with the City Manager's Office on what it should include and report that back to the board.

**BOARD MEMBER DAVIS JOHNSON:** So may I offer an -- an alternate motion directing the City Attorney to take a look at what the scope should be in conversation with Attorney Brown to work towards having his firm provide us with an explanation or not necessarily an explanation but a review of internal policies, internal processes where there were violations. And I'm not going to sit here and write the scope. But I'm -- I'm just trying to give a -- a general idea of what should happen. So I would like to make that motion.

**CHAIR PRO TEM DAVIS:** Second.

**CITY ATTORNEY RYAN:** Well, did you dispose of the last (inaudible)?

**CHAIRPERSON PARDO:** No.

**CITY ATTORNEY RYAN:** Okay.

**CHAIRPERSON PARDO:** You want to --

**BOARD MEMBER DAVIS JOHNSON:** You've gotta rescind.

**CHAIR PRO TEM DAVIS:** I rescind my motion.

**CHAIRPERSON PARDO:** Okay.

**CHAIR PRO TEM DAVIS:** And I second her motion.

**CHAIRPERSON PARDO:** Okay. And Miss Miller?

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CHAIRPERSON PARDO:** Okay?

**CHAIR PRO TEM DAVIS:** Just call the question.

**CHAIRPERSON PARDO:** All right. So there is a motion and a second. Any other questions, comments? Madam Clerk?

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

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

**CITY CLERK ANTHONY:** Board Member Guyton?

**BOARD MEMBER GUYTON:** That's -- and this to develop a scope of service?

**CHAIRPERSON PARDO:** With Miss -- with the law firm of Brown & Associates.

**CHAIR PRO TEM DAVIS:** And we come back for approval.

**BOARD MEMBER GUYTON:** Okay. And it come back to us to --

**BOARD MEMBER DAVIS JOHNSON:** Absolutely.

**CITY MANAGER JONES:** Right. Just the scope.

**BOARD MEMBER GUYTON:** -- for -- I do it for the scope of service, to develop a scope of service.

**CITY CLERK ANTHONY:** Board Member Davis Johnson?

**BOARD MEMBER DAVIS JOHNSON:** Yes.

**CITY CLERK ANTHONY:** Pro Tem Davis?

**CHAIR PRO TEM DAVIS:** Absolutely yes, sir.

**CITY CLERK ANTHONY:** Chair Pardo?

**CHAIRPERSON PARDO:** No.

**CITY CLERK ANTHONY:** That motion is approved with Chair Pardo dissenting.

**CHAIRPERSON PARDO:** Okay. Thank you. Okay. So we'll move on?

**MAYOR MASTERS:** I had questions, Madam Chair --

**CHAIRPERSON PARDO:** Go ahead, Mayor, and then we'll go back to --

**MAYOR MASTERS:** -- from the gentleman.

**CHAIRPERSON PARDO:** -- Miss Jones.

**MAYOR MASTERS:** The Assistant Director, would you come back? Mr. Jones --

**BOARD MEMBER GUYTON:** Giles.

**MAYOR MASTERS:** No, I'm talking to Mr. Jones.

**BOARD MEMBER GUYTON:** Oh.

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** I saw you a minute ago when the gentleman was speaking.



**DEPUTY CITY MANAGER JONES:** Yes.

**MAYOR MASTERS:** And you whispered something to him.

**DEPUTY CITY MANAGER JONES:** Yes, sir.

**MAYOR MASTERS:** Okay.

**DEPUTY CITY MANAGER JONES:** You want to know what I whispered to him?

**MAYOR MASTERS:** (Inaudible)

**AUDIENCE:** Yes.

**MAYOR MASTERS:** I didn't ask you but you -- we're in the Sunshine.

**DEPUTY CITY MANAGER JONES:** Yes.

**MAYOR MASTERS:** Yeah, tell them. Tell them.

**DEPUTY CITY MANAGER JONES:** I said, "Mr. Giles, if you don't know the answer just say you don't know the answer."

**CITY ATTORNEY RYAN:** That's what I told him.

**MAYOR MASTERS:** Well, obviously, he did know the answer and I'm going to ask you, it's not a good look not to support anyone up here that's staff. He doesn't know when he gets up here, I don't think you should be helping him out. But anyway, let me just say this. And I've said it over and over again. The more that I hear from staff -- and I'm not talking about staff up here. I'm talking about administrators in the Utility District. The more and more I began to think this is worse than the Watergate. And I'm going to say it over and over. You know, if you guys messed up and you didn't do something right, just 'fess it. Confess up to it and, you know, I'm -- I have you up here but I'm -- I'm talking more in general terms. 'Cause a question was asked for you, to you about a meeting, did you meet with your Director about the -- the press thing and this, that and the other. And you said, "I don't recall."

And that is the term that I heard over and over again in Watergate. "I don't recall." May not be analogous to that but, you know, we're here -- I don't want to say there's a cover-up in that department, but just state what it is. You know? And, I mean, obviously you appear to -- to have been a little nervous earlier tonight. But I want the truth. And I want to know. I mean, what happened? And for your answer to me was not satisfactory when you said the Utility District gets -- now, somebody -- somebody had a responsibility to get that out in that department. So, you know, I just want -- I want complete transparency from that department. And maybe it just wasn't one person, you know, that -- that called the shots.

Maybe there was two or three others that was in the process. Whatever -- whatever happened and whoever was connected in that process, I want to know who it was.

Because we didn't get this information. And I don't think one person in that department was the only person that was guilty of that. And I'm not saying you. I'm just talking in general terms. Okay. You -- you could be seated. Madam Attorney, this memorandum that you have given us is very good. And it -- it's good in the sense that you have detailed some of the facts of your office and some of the things that happened. Unfortunately, I don't have that same kind of detail with the Utility Department, Special District Department. Now, my question is, this memo -- and I want complete transparency. This memo that you have given us, is it public -- is this public information? Can this be given to anyone?

**AUDIENCE:** Yes.

**MAYOR MASTERS:** I just need to hear from the City Attorney.

**CITY ATTORNEY RYAN:** There was one document that was an attorney/client privilege document. But I'm almost certain that the order is -- the order is over with so I think that the whole document --

**MAYOR MASTERS:** Can be given?

**CITY ATTORNEY RYAN:** -- can be given, sure.

**MAYOR MASTERS:** Okay. Thank you. I want to make sure that the public see this 'cause it's a good -- it's a good memo and it does give me some chronology of who knew what. And that's what I'm concerned. Who knew what, when they knew it and why we didn't get it. Who knew what, when they knew -- who, what, when and where. That's my concern.

**CHAIRPERSON PARDO:** Right.

**MAYOR MASTERS:** Thank you, Madam Chair.

**CHAIRPERSON PARDO:** Okay. Thank you, Mayor. All right. Miss Jones, let's continue. Let's get back on topic, please.

**CITY MANAGER JONES:** One of the things that I mentioned because it was important to get a baseline as to what the conditions were of the water, under emergency procurement, I did procure Jupiter Environmental Laboratories, Incorporated as a lab to go out, collect and test our water throughout the city. They started on Sunday, as well as on yesterday, in some 40 or more locations. I would like at this point to ask Patrick Greenville [phonetic], who represents that area, to talk about the results of the labs over the last two days.

## **VI. RESENT WATER QUALITY SAMPLING - JUPITER ENVIRONMENTAL LABORATORIES, INC.**

**CHAIRPERSON PARDO:** Okay. Good evening, sir.

**PATRICK GREENVILLE:** Good evening. So we have analyzed samples that were

collected from Riviera Beach over the past two, almost three days. So the first four samples that were collected, they all came in as absent. So the test that we've run for coliforms, it's really a test where nutrient is added to the actual sample and it's incubated for about 24 hours. And after that, due to enzymes that are inherent of the bacteria within the samples, we get a colorimetric or fluorescence reading. So those samples were all negative. The samples that we took yesterday had been analyzed, as well. They're negative. So so far everything that we've analyzed is within Department of Health requirements in terms of drinking water, bathing water, cooking, etc. If you have any questions about the analytical, I can address that. I can't address questions that would lend or tend to be interpreted from a medical or Department of Health standpoint.

**CHAIRPERSON PARDO:** Okay. All right. Any questions?

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

**CHAIRPERSON PARDO:** Go ahead, sir.

**PATRICK GREENVILLE:** Sure.

**CHAIR PRO TEM DAVIS:** Thank you. When taking a shower, I -- I've noticed my skin will get extremely dry. I had this white film on me. What causes that?

**PATRICK GREENVILLE:** Okay. So I have a PhD in pharmacology toxicology and I really -- I reside in an area of chemistry, analytical chemistry that's called mass spectrometry. Typically -- so to get back to your question --

**CHAIR PRO TEM DAVIS:** I -- I like the way that sound.

**PATRICK GREENVILLE:** No, no, no, no, no. To get back to your question, it's probably related to the actual mineral content of the water.

**CHAIR PRO TEM DAVIS:** Okay.

**PATRICK GREENVILLE:** Yes.

**CHAIR PRO TEM DAVIS:** Someone -- yeah, someone just stopped me on my way here to find out what it was that was caught in your skin. See, I got it right here. I spent a lot of money on lotion, now, so I -- but I -- I just really wanted to know 'cause someone asked that question before getting here, what is the white film --

**PATRICK GREENVILLE:** Sure.

**CHAIR PRO TEM DAVIS:** -- that's on the skin after you take a --

**PATRICK GREENVILLE:** Yeah. It -- it -- it can be -- the water here in South Florida, particularly in -- in this area -- I live in West Palm Beach and we suffer from that same thing. It's heavy mineral content.

**CHAIR PRO TEM DAVIS:** Okay.

**PATRICK GREENVILLE:** And you can see a deposition on the walls in the shower over time. So you actually have to get in and get that out. But that's what that is actually attributed to.

**CHAIR PRO TEM DAVIS:** Okay. Through the testing that you have, have -- was there anything that was alarming or --

**PATRICK GREENVILLE:** Well, no, no, no, no, no. So -- so the test for coliform --

**CHAIR PRO TEM DAVIS:** Uh-huh.

**PATRICK GREENVILLE:** -- is -- it's like a yes or a no test. Right?

**CHAIR PRO TEM DAVIS:** Okay.

**PATRICK GREENVILLE:** It's here or it's not here.

**CHAIR PRO TEM DAVIS:** Okay.

**PATRICK GREENVILLE:** And those tests results all proved that there was nothing present in those particular samples that we analyzed.

**CHAIR PRO TEM DAVIS:** Okay.

**BOARD MEMBER DAVIS JOHNSON:** Madam Chair?

**BOARD MEMBER GUYTON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, ma'am. I heard Miss Johnson.

**BOARD MEMBER DAVIS JOHNSON:** Davis Johnson.

**CHAIRPERSON PARDO:** Davis Johnson.

**BOARD MEMBER DAVIS JOHNSON:** So how many test samples did you conduct? Were they -- were they citywide? Did you just concentrate on one particular area?

**PATRICK GREENVILLE:** No. They were distributed through the city and to date that have actually gone through the incubation period and been read, there are 15 total samples. There are additional samples today that are in the lab in the incubator waiting to be read tomorrow.

**BOARD MEMBER DAVIS JOHNSON:** Okay. And so you'll have those results for us tomorrow?

**PATRICK GREENVILLE:** About 5 p.m. tomorrow afternoon.

**BOARD MEMBER DAVIS JOHNSON:** Miss Jones, we'll receive an e-mail as to the results?

**CITY MANAGER JONES:** Yes. And they'll send us a written notice about what the

results were.

**BOARD MEMBER DAVIS JOHNSON:** We'll get a copy of that, as well?

**CITY MANAGER JONES:** Yes.

**BOARD MEMBER DAVIS JOHNSON:** Is there a copy of your report ready now for the samples --

**PATRICK GREENVILLE:** Of the samples that had been analyzed?

**BOARD MEMBER DAVIS JOHNSON:** -- that have incubated?

**PATRICK GREENVILLE:** Yes, that's correct. They are ready.

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**PATRICK GREENVILLE:** Yeah.

**BOARD MEMBER DAVIS JOHNSON:** Okay. And do we have a copy of that?

**PATRICK GREENVILLE:** I think those reports, if they haven't been sent out, I can ensure that they will be sent out to you.

**CITY MANAGER JONES:** We got the ones for Sunday. We don't have the ones for today.

**PATRICK GREENVILLE:** For today. I will let the lab know.

**BOARD MEMBER DAVIS JOHNSON:** Please forward those as soon as possible so that we can read those.

**PATRICK GREENVILLE:** Of course.

**BOARD MEMBER DAVIS JOHNSON:** And would you please put it in plain speak for me?

**PATRICK GREENVILLE:** Definitely.

**BOARD MEMBER DAVIS JOHNSON:** Thank you.

**PATRICK GREENVILLE:** Not a problem.

**CHAIRPERSON PARDO:** Any other questions?

**BOARD MEMBER GUYTON:** Yes, very quickly.

**CHAIRPERSON PARDO:** Mr. Guyton.

**BOARD MEMBER GUYTON:** You just indicated that you had a PhD in something that I can't pronounce. But -- but as it relates to your testing of water and your experience thereto of your firm or of your company, could you give me a little background as it relates to your experience and (inaudible)?

**PATRICK GREENVILLE:** Oh, sure, sure. So this isn't completely unusual to me. I'm a native of Puerto Rico and in a past life when I was at home I was the -- actually in charge of all of the organic analysis labs for -- it would be your corollary of drinking water, sewer water, your water treatment facility for the entire island of Puerto Rico. So I'm very, very accustomed to the sampling that's done and the water treatment facilities, working with the engineers, etc. In the current capacity that I have with Jupiter Labs, I work as a quality assurance officer. So I'm the final review of all data before it's released to clients. And it's sort of an added extra that I had that background from previous experience.

**BOARD MEMBER GUYTON:** Okay. Now, how long has your company and you personally been -- I know you say you did it in Puerto Rico but how long has that been? How -- how many years of experience.

**PATRICK GREENVILLE:** Oh, my goodness. Ooh. So in -- in the area of analytical chemistry of which my group, in a lot of -- a lot of sense, it -- it sort of resides in that area. I've been doing this for about 35 years.

**BOARD MEMBER GUYTON:** Okay.

**PATRICK GREENVILLE:** Jupiter Labs has been in business for a long time. I think it goes back to probably the late '70s or early '80s. So it's very, very well established. Now, what I would comment about in terms of analytical results, statistics are very, very important when it comes at looking at any type of analytical result provided to you from a test. If you have one result that's typically not a good gauge of the final outcome or what the sample may or may not contain. As that number goes up it gets a lot better. When you think about actually hiring different labs, that's good. The only thing you have to think about, are the labs certified to do this type of work? And the analysts, are the analysts trained to do the work? Because now what you've done, you've actually increased the pull of data but as in any sort of preparation -- for example, if I were to ask you, Look, we're going to have three independent kitchens lined up, once -- one against another. And I want everyone to go in and cook the same meal. Well, at the end, although you may have the same recipes, it probably isn't going to taste the same from one to the next to the third. And in labs, you're going to see some analytical variability. But in this particular type of test, since it's really a yes or a no -- it's not a number -- it's pretty hard to see a lot of analytical variability. So if you use our lab or if you use a different lab that's accredited, typically you're going to get the same result.

**BOARD MEMBER GUYTON:** So I'm assuming your lab is certified to do this?

**PATRICK GREENVILLE:** Yes, we are.

**BOARD MEMBER GUYTON:** Okay. That's all I have for him.

**CHAIRPERSON PARDO:** Okay. Anyone else?

**BOARD MEMBER MILLER-ANDERSON:** Yes. Did you -- did you say whether or not you tested the chlorine levels? And if so what --

**PATRICK GREENVILLE:** The chlorine levels is part of the procedure. They are always tested twice.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**PATRICK GREENVILLE:** So they're tested when the sample is taken and they're tested back in the lab. And the rationale for that is twofold: First of all, before you test it you want to see what the chlorine level is in the sample because we have sort of a meter of where it should be. So it should be anywhere between .6 to 4 PPM or milligrams per liter.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**PATRICK GREENVILLE:** Now, when we take the sample, the sample has a preservative, Sodium Thiosulfate. And once we take the sample in the bottle and we measure the chlorine level in the lab it should be zero -- zero. So it's actually reacted with the Sodium Thiosulfate as a preservative.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**PATRICK GREENVILLE:** So we want to make sure that the chlorine levels are zero at the lab, the pH is 7, and then we can actually commence with the test.

**BOARD MEMBER MILLER-ANDERSON:** And what were your findings?

**PATRICK GREENVILLE:** Exactly the same.

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

**PATRICK GREENVILLE:** They were zero.

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

**PATRICK GREENVILLE:** And 7 at the lab.

**BOARD MEMBER MILLER-ANDERSON:** And 7 is --

**PATRICK GREENVILLE:** Or pH.

**BOARD MEMBER MILLER-ANDERSON:** -- is good?

**PATRICK GREENVILLE:** Neutral.

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

**PATRICK GREENVILLE:** Yes.

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

**PATRICK GREENVILLE:** Uh-huh.

**CHAIRPERSON PARDO:** Okay. All right. Well, thank you very much, sir.

**PATRICK GREENVILLE:** You're welcome.

**CHAIRPERSON PARDO:** And we look forward to getting the reports. Okay?

**PATRICK GREENVILLE:** I will -- I will call the lab now.

**CHAIRPERSON PARDO:** Okay. Perfect.

**PATRICK GREENVILLE:** Uh-huh.

**CHAIRPERSON PARDO:** All right. Appreciate it. Okay. So we have the Palm Beach County Health Department here. Does anyone have questions for them?

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

**CHAIRPERSON PARDO:** All right. So Mr. Meyer -- Mayer?

## **VII. PALM BEACH COUNTY HEALTH DEPARTMENT**

**TIM MAYER:** Good evening.

**CHAIRPERSON PARDO:** Good evening.

**CHAIR PRO TEM DAVIS:** Evening.

**TIM MAYER:** Again, my name's Timothy Mayer.

**CHAIRPERSON PARDO:** Right.

**TIM MAYER:** I'm the Division Director for the Environmental Public Health Division at the Florida Department of Health in Palm Beach County. At the City Council's request I brought my engineering administrator here. He can explain the more technical engineering aspects of the reports and our notices and the -- the process at -- at y'all's request from last night. So if you have questions, be happy to address them.

**CHAIRPERSON PARDO:** All right. Thank you. Okay. Miss Miller?

**BOARD MEMBER MILLER-ANDERSON:** Can you -- I -- I know we had Mr. Rhoads come up and explain the Tier 2 but can you just briefly tell us whether or not we had a -- a violation of such and if so, what should have occurred after that violation was made aware of?

**DARREL GRAZIANI:** You want to pull that slide back up?

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

**DARREL GRAZIANI:** My name's Darrel Graziani.

**BOARD MEMBER MILLER-ANDERSON:** Walter, can you pull it back up, please?

**BOARD MEMBER GUYTON:** And could you pull that mike a little closer to you



when you speak?

**DARREL GRAZIANI:** Oh, that's me? Okay. The Tier 2 notice is triggered once there is a determination by the system that there has been a violation. Since no one wanted to read it, we will go to that first paragraph and I'll come down a little bit. "No later than 30 days after the system learns of the violation." Okay? Some of the regulations --

**BOARD MEMBER MILLER-ANDERSON:** And the system is the --

**DARREL GRAZIANI:** The system would be --

**BOARD MEMBER MILLER-ANDERSON:** -- Utility District, right?

**DARREL GRAZIANI:** -- your District and your staff.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** Okay. There are two notification requirements. I'm going to put these down so everyone understands this. First is when you learn of the notice of the violation or the exceedance, that you give us a call and you say, Hey, we have this coming your way.

**BOARD MEMBER MILLER-ANDERSON:** And this -- and one of our cases --

**DARREL GRAZIANI:** And the second --

**BOARD MEMBER MILLER-ANDERSON:** I'm going to probably jump in a little bit.

**DARREL GRAZIANI:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** Did you -- did you -- do you all recall receiving a phone call when one of these occurred?

**DARREL GRAZIANI:** I was told that we did receive a phone call in January.

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

**DARREL GRAZIANI:** And in February.

**BOARD MEMBER MILLER-ANDERSON:** But we had received violations over the past five years, right?

**DARREL GRAZIANI:** Correct.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So (inaudible) --

**DARREL GRAZIANI:** The most recent thing that I'm concerned about is the failure of these public notices in -- in basically February and March that should have been done.

**BOARD MEMBER MILLER-ANDERSON:** Are these -- but are those the only

notifications that did not occur or were there some back a year or so ago that should have occurred?

**DARREL GRAZIANI:** I believe there was a -- and prior to this there was a -- a failure to notify before, as well.

**BOARD MEMBER MILLER-ANDERSON:** Okay. All right.

**DARREL GRAZIANI:** So this was sort of a repeat incident.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh. Okay.

**DARREL GRAZIANI:** Okay? That's the big thing. There's two parts to this. One is the hangers. And there's a big word at the end of there that says "End," which is the publication in the newspaper. That gets the public involved.

**BOARD MEMBER MILLER-ANDERSON:** Which -- which one are you on so we can kind of get the --

**DARREL GRAZIANI:** Am I in charge of this?

**CITY MANAGER JONES:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** Are you?

**DARREL GRAZIANI:** Okay. It looks like it, yeah. Okay.

**BOARD MEMBER MILLER-ANDERSON:** No, are you able to move that? I thought you --

**DARREL GRAZIANI:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** Whoa. I thought --

**DARREL GRAZIANI:** There we go. Okay. Let's go right here where that hand is. That word "End."

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

**DARREL GRAZIANI:** And when we go -- looks like someone edited the rule a little bit. They cut out some -- extrapolated --

**CITY ATTORNEY RYAN:** Edited the rule?

**UNIDENTIFIED SPEAKER:** Yeah.

**DARREL GRAZIANI:** -- stuff. But third is --

**CHAIRPERSON PARDO:** Whoa, whoa. Wait. Hold on a second.

**AUDIENCE:** Yeah.

**BOARD MEMBER MILLER-ANDERSON:** Say that again.

**CHAIRPERSON PARDO:** That's not the entire rule?

**DARREL GRAZIANI:** I don't believe it is. I'm looking at paren A1 and then I go to 3. Am I missing 2 up there?

**CHAIRPERSON PARDO:** Yeah, it looks like it was cut and paste.

**DARREL GRAZIANI:** Here's paren 1.

**CITY MANAGER JONES:** (Inaudible).

**DARREL GRAZIANI:** A1.

**CHAIRPERSON PARDO:** Right.

**DARREL GRAZIANI:** And then we're jumping down.

**DEPUTY CITY MANAGER JONES:** Two's right there.

**BOARD MEMBER GUYTON:** A1.

**CITY ATTORNEY RYAN:** What?

**CITY MANAGER JONES:** No, it goes from 1 to 3.

**CHAIRPERSON PARDO:** Yeah. That's interesting because that wasn't in my book.

**DEPUTY CITY MANAGER JONES:** Whoa, whoa, whoa, we can get that.

**BOARD MEMBER MILLER-ANDERSON:** You can pull it off of the Internet. All of them are available.

**DARREL GRAZIANI:** Yeah. They're online.

**BOARD MEMBER MILLER-ANDERSON:** As a matter of fact, some of them are in the book. They are in the book. It's just not the whole --

**CHAIRPERSON PARDO:** Yeah. Not that one.

**BOARD MEMBER MILLER-ANDERSON:** -- not everything.

**CHAIRPERSON PARDO:** Right.

**BOARD MEMBER MILLER-ANDERSON:** It was -- they only gave the --

**CHAIRPERSON PARDO:** That one isn't.

**BOARD MEMBER MILLER-ANDERSON:** -- like a couple sentences of it.

**CHAIRPERSON PARDO:** Right.

**BOARD MEMBER MILLER-ANDERSON:** But the other part can be -- you can find

it online because it's through the -- the Drinking -- it's the Drinking Water Standards Monitoring and Reporting.

**CHAIRPERSON PARDO:** Okay.

**BOARD MEMBER MILLER-ANDERSON:** So which one are you saying that's -- you don't see up there?

**CHAIRPERSON PARDO:** Two.

**DARREL GRAZIANI:** Well, I'm looking. I -- whoever highlighted and read this brought out the pertinent facts.

**BOARD MEMBER MILLER-ANDERSON:** Whoa. Really?

**DARREL GRAZIANI:** Is what I'm going to assume.

**BOARD MEMBER MILLER-ANDERSON:** All right. Well, we're going to find that for you right now.

**DARREL GRAZIANI:** I -- this was -- this -- my section, we didn't do this. But you'll see -- and it -- and the "end" is important, that it has to be done in a public -- in basically a newspaper, general circulation to the area. Okay? And there -- that's -- that's one that we seem to hear a lot from the utilities that they really don't like to do that because when the public gets involved, you know, answers and things move. You know, I'm really happy what I'm hearing here tonight. Everybody's interested in getting this fixed.

**BOARD MEMBER MILLER-ANDERSON:** Exactly. Can you just tell me the part that is missing? You know it offhand, right?

**DARREL GRAZIANI:** No, I don't know that. I don't --

**BOARD MEMBER MILLER-ANDERSON:** Okay. Well, we'll pull it up. Keep going.

**DARREL GRAZIANI:** -- I -- there -- yeah, okay. Okay. I'm just pointing out that there were two things that were needed to be done here.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Go ahead.

**DARREL GRAZIANI:** What'd we lose?

**CITY ATTORNEY RYAN:** Isn't that it right there?

**TIM MAYER:** Paragraph 2's missing.

**CITY ATTORNEY RYAN:** I don't know how you can read that. Oh, you're reading it here?

**DARREL GRAZIANI:** No. Well, I put my glasses on.

**CITY ATTORNEY RYAN:** Okay.

**DARREL GRAZIANI:** Here -- they're there. 1A.

**CITY ATTORNEY RYAN:** There's a lot missing.

**DARREL GRAZIANI:** Yeah. You need to --

**CITY ATTORNEY RYAN:** There's a lot missing.

**DARREL GRAZIANI:** There -- there's three pages here.

**CITY MANAGER JONES:** There's a lot missing.

**DARREL GRAZIANI:** Four.

**BOARD MEMBER MILLER-ANDERSON:** You got it up?

**DARREL GRAZIANI:** Yeah. That -- that had been edited out. Okay?

**DEPUTY CITY MANAGER JONES:** Okay.

**DARREL GRAZIANI:** But the -- but that's what happens is -- once the system learns. Now, let me explain how our expectation of the system learning of this is. By the 10<sup>th</sup> of each month reports are due to our office, bacteriological reports, which is what this falls under, as well as the operating report for the -- for the plant. These samples, they can be collected by a laboratory or a licensed operator. We have complete confidence in our licensing program here in Florida and your licensed operators to collect these samples. And we've had this discussion internally. If there was a problem we wouldn't be seeing anything. It's easier just to say, Hey, no, it didn't happen. So we have good confidence and a high level of confidence in your operators out here. I want you to understand that. That's important in -- in the moves that you're making. Okay? We deal with utility directors. Your title was, I believe, Executive Utility Director?

**UNIDENTIFIED SPEAKER:** Right.

**DARREL GRAZIANI:** Okay. Our expectation is that that person is operating within the realms of their authority.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**DARREL GRAZIANI:** That they are keeping the correct people informed and that everybody is understanding the process that they're going under. Yesterday we learned that may was -- may not have been true here.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** But it looks like we're on a way to get that fixed so --

**BOARD MEMBER MILLER-ANDERSON:** Can I just ask you a question. When y'all send those notices, you always work directly with the Utility District? And if you -- the Utility District Director, is that the only person you deal with at the City level or

the --

**DARREL GRAZIANI:** At the -- who we work typically with is the person that pulls the permits which is called the permittee.

**BOARD MEMBER MILLER-ANDERSON:** Which is who? And that's who?

**DARREL GRAZIANI:** In this case would have been your Executive Director.

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

**DARREL GRAZIANI:** Okay? That's the point of contact. We've since learned that maybe we want to be using the Chair as the point of contact.

**CITY ATTORNEY RYAN:** Well, at least copy.

**DARREL GRAZIANI:** Or at least copy? Okay. As well. One thing I will mention is that your Utility Director does a lot. These utilities do -- directors. I don't know if you have someone authorized to be signing off on connections to your water system. Are you authorized?

UNIDENTIFIED SPEAK (Inaudible).

**DARREL GRAZIANI:** What we're talking about is when -- when you have a new development and they're applying for the water to run into their subdivision, we require an authorized representative of the District to sign that. So we're going to be looking for someone real fast. City Manager, Miss Ruth, that could be you right now.

**CITY MANAGER JONES:** Well, it'll be me in consultation with an expert.

**DARREL GRAZIANI:** That's routine work. Okay. What I've seen tonight is a lot along the lines of what we're asking for in the consent order. You may be going further than what we're even asking and spending more. I'm not going to tell you not to do that. That's -- that's your -- your option. What we are asking, though, and what we would like to see done and we appreciate monitoring the total coliform out there, but we really want you to be monitoring your residual out there at all of your sampling points. It's not as expensive. Your operators can do it. And I think yesterday I was told by the Mayor that it -- we were going to be moving that way. So that -- that's something that tells us that if we have the residual out there, that there's a good chance that we're beating the total coliform and the growth in the system. And that's what we really want to have, those assurances when you're coming in to us. Okay? Now, questions?

**BOARD MEMBER GUYTON:** Madam Chair?

**CHAIRPERSON PARDO:** Yes, Mr. Guyton.

**BOARD MEMBER GUYTON:** Question. Did you issue the City a boil-water notice?

**DARREL GRAZIANI:** No, we did not.

**BOARD MEMBER GUYTON:** And why did you not issue us a boil-water notice?

**DARREL GRAZIANI:** Because this is a nonacute --

**BOARD MEMBER GUYTON:** I'm sorry?

**DARREL GRAZIANI:** -- this is an indicate -- it's called nonacute contaminant. Okay?

**BOARD MEMBER GUYTON:** Which means what in layman's terms?

**DARREL GRAZIANI:** It means that -- let's look at an acute, would cause E. coli.

**BOARD MEMBER GUYTON:** Uh-huh.

**DARREL GRAZIANI:** We would be looking possibly at people suffering gastro problems. You all remember in '07 the City of West Palm's --

**BOARD MEMBER GUYTON:** Yes.

**DARREL GRAZIANI:** -- incident?

**BOARD MEMBER GUYTON:** Yeah.

**DARREL GRAZIANI:** Our estimates on that.

**BOARD MEMBER GUYTON:** So --

**DARREL GRAZIANI:** 10,000 --

**BOARD MEMBER GUYTON:** So -- so it -- we have some serious issues but it didn't rise to that level of severity that you felt you needed to issue a boil-water order -- notice. Is that what you're saying?

**DARREL GRAZIANI:** Correct.

**BOARD MEMBER GUYTON:** Okay. So --

**DARREL GRAZIANI:** There -- there are set guidelines on issuing boil-water notices. And --

**BOARD MEMBER GUYTON:** Okay. Because --

**DARREL GRAZIANI:** -- and this doesn't trigger.

**BOARD MEMBER GUYTON:** -- and I asked that question 'cause there are people that, like me, don't understand all of the jargon and think if we get a report saying there's an issue with bacteria, that it's something that is going to impact their health. And -- and we need to make it clear that we are at a level where we can correct it and people can still drink water, bathe in it and cook with it. Is that correct?

**DARREL GRAZIANI:** That is correct.

**BOARD MEMBER GUYTON:** Okay. Just want to reiterate that. That's all I have, Madam Chair.

**CHAIRPERSON PARDO:** Thank you. Anyone else?

**CHAIR PRO TEM DAVIS:** I had a question. But I forgot it.

**CHAIRPERSON PARDO:** Anyone else?

**AUDIENCE:** Hold on.

**UNIDENTIFIED SPEAKER:** We got (inaudible).

**CITY MANAGER JONES:** She's in the back.

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

**MAYOR MASTERS:** Miss (Inaudible).

**CHAIRPERSON PARDO:** Go ahead, Mr. Davis.

**CHAIR PRO TEM DAVIS:** At any given time when we're required to give a public notice, is the Palm Beach County Health Department required to do -- give public notice?

**DARREL GRAZIANI:** There are some incidents when the Health Department --

**CHAIR PRO TEM DAVIS:** Which ones?

**DARREL GRAZIANI:** -- can actually issue boil-water notices.

**CHAIR PRO TEM DAVIS:** Not boil-water notices.

**DARREL GRAZIANI:** Well, and -- and other notices.

**CHAIR PRO TEM DAVIS:** Notices about the --

**DARREL GRAZIANI:** Right. It is the responsibility of the utility --

**CHAIR PRO TEM DAVIS:** -- fines and -- right.

**DARREL GRAZIANI:** -- to run these notices.

**CHAIR PRO TEM DAVIS:** So what instance -- what instance did you do do that and what cities did you do that in Palm Beach County?

**DARREL GRAZIANI:** Wow. Most -- I don't believe I've ever had to do one.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**DARREL GRAZIANI:** Most cases I've merely had to say that Dr. Alonso said, "If you don't do it, we will." And the utility then has the ability to write the notice meeting the minimum language requirements.



**CHAIR PRO TEM DAVIS:** Uh-huh.

**DARREL GRAZIANI:** And add any additional information that they feel will help, you know, keep the -- the community assured that their water is -- is -- is being safe, that their actions are being taken to correct the problems. So there is some flexibility in what can be in the notice.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**DARREL GRAZIANI:** But there's some mandatory stuff, as well.

**CHAIR PRO TEM DAVIS:** That'll be all.

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

**CHAIRPERSON PARDO:** Miss Miller?

**BOARD MEMBER MILLER-ANDERSON:** -- you -- I did hear when you were speaking with Mr. Guyton, you mentioned about it wasn't acute situation, right? So it would be nonacute?

**DARREL GRAZIANI:** It -- nonacute.

**BOARD MEMBER MILLER-ANDERSON:** It's nonacute?

**DARREL GRAZIANI:** Correct.

**BOARD MEMBER MILLER-ANDERSON:** So I just gave you the --

**DARREL GRAZIANI:** Tier 2.

**BOARD MEMBER MILLER-ANDERSON:** Yes. So the number two one that you said was left out was -- what does that read?

**DARREL GRAZIANI:** So I'm reading this saying, "For violations of a nonacute maximum contaminant level."

**BOARD MEMBER MILLER-ANDERSON:** That's what we had?

**DARREL GRAZIANI:** Correct.

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

**DARREL GRAZIANI:** "And maximum residual disinfectant level, treatment technique requirement and variance or exemption schedule that are not described in paragraph 1A1," which is up there.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** Okay? "Of this section, a Tier 2 notice shall be provided by mail, by mail delivery, by direct mail or with the water bill or hand delivery as soon as possible not later than 30 days after the system learns of the violation."

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

**DARREL GRAZIANI:** So that we maybe just cut off the 2?

**BOARD MEMBER MILLER-ANDERSON:** Yeah, I guess so.

**DARREL GRAZIANI:** Okay.

**BOARD MEMBER MILLER-ANDERSON:** But that part that you just described, that is -- that fits the description of what we -- the situation we had, correct?

**DARREL GRAZIANI:** Correct.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So I think -- and I -- I hope everyone is clear now what we're saying about the Tier 2 public notice. You -- being that it should have been done in 30 days. It was not done in 30 days. There was no oversight to make sure that it was done in 30 days because no one knew this should have taken place. But I'm just thinking that he's been, you know -- again, I don't want to keep talking about him. He's not here. But whoever we have in position, they should be aware of this rule, correct?

**DARREL GRAZIANI:** They should be. There's no question.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Okay. And Miss Ryan, you said that you're not familiar with this at all?

**CITY ATTORNEY RYAN:** No. I've never been asked to review this rule before. I mean, it's not -- as I said before, it's very self-explanatory if you know what you're reading about and you know that it's Tier 2. But no, I was never consulted on these issues.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Okay. Now, a question for you all. At what point -- say you see a city, a municipality is not sending out the notices. Is there at some point where you all kind of step in and as -- as the Health Department to ensure that everything -- people are being notified? Do you all come into play in this at all?

**CHAIR PRO TEM DAVIS:** Yeah.

**DARREL GRAZIANI:** I would say was -- yesterday was the day we actually learned that the notices weren't published.

**BOARD MEMBER MILLER-ANDERSON:** Say that again.

**DARREL GRAZIANI:** Yesterday was the day that we learned that the notice hadn't been published for January or February.

**BOARD MEMBER MILLER-ANDERSON:** So there's no follow-up from --

**DARREL GRAZIANI:** Well, the follow-up is, I believe, that the notifications have to be certified to us so -- and I don't know what the days are top of my head. I'm sorry.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** After it's been published.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So the ones from January, you all did not know about then until yesterday?

**DARREL GRAZIANI:** We would be expecting to see that probably April -- March/April time frame is when we would be seeing the -- the proof of the publication.

**BOARD MEMBER MILLER-ANDERSON:** And what, in the newspaper or they send something back certified?

**DARREL GRAZIANI:** Yes. They -- they -- they typically send -- we receive a -- if you've ever done a legal notice.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** There -- there is a certified copy that will be sent in.

**BOARD MEMBER MILLER-ANDERSON:** Okay. Now, with -- in the past, because we received some of the same violations over the past few years, did you ever get a -- a certified legal notice from the Department saying that they had notified the -- the residents?

**DARREL GRAZIANI:** I've never seen one. My staff has told me that the notices have been done so I've -- I've -- if you're asking me if I've ever put my hands on one, I -- I can't say I have. For notices -- well, for other utilities that I'm more involved in, yes, I've seen those.

**BOARD MEMBER MILLER-ANDERSON:** But for us?

**DARREL GRAZIANI:** But for you, I can't say I personally saw any.

**BOARD MEMBER MILLER-ANDERSON:** Anybody at your department or at your organization can say it?

**DARREL GRAZIANI:** I would have to ask them.

**BOARD MEMBER MILLER-ANDERSON:** Because I mean, the -- as we know, these are repeat violations and -- and my point I'm trying to make is that this is -- I know we're talking about January and February. But January and February were not the only two times it occurred. It occurred several times over the years, '10 -- 2010, '11, '12, '13, '14, '15.

**TIM MAYER:** Notification (inaudible).

**BOARD MEMBER MILLER-ANDERSON:** And so I'm just, you know --

**DARREL GRAZIANI:** The notification.

**BOARD MEMBER MILLER-ANDERSON:** -- wondering does -- how do we keep track and not catch it five years later that someone didn't send a notification out? What is the --

**DARREL GRAZIANI:** Well, the -- this isn't five years later.

**BOARD MEMBER MILLER-ANDERSON:** -- what's -- what's the safeguards?

**DARREL GRAZIANI:** But I -- I will go back to some comments that were made earlier.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** Which shed some light for my sight to understand the way things are being done here. It appears as though you were waiting for the warning letter to have to do the notice. Hopefully we could get that corrected.

**BOARD MEMBER MILLER-ANDERSON:** And what should be the correct process?

**DARREL GRAZIANI:** The correct activity at the end of the month when all the reports are assembled and the data, it should be reviewed by your plant manager, your chief operator, your utility director if they're that well -- if they're involved at that level, to determine whether or not you are in compliance. Because it's -- there is a requirement to notify us and that's really what we're looking for is not to turn around on the 28<sup>th</sup> of the month, which is the last day I have to get all of the data entered into the database system when my staff are reviewing these reports to discover a violation.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** Because at that point it's probably too late to get a public notice done.

**BOARD MEMBER MILLER-ANDERSON:** Okay. And I just want to go back to the point that you were about to make where I asked about when you all come in. You said that you all just discovered that it had not been sent for the January and February, correct?

**DARREL GRAZIANI:** Correct.

**BOARD MEMBER MILLER-ANDERSON:** So what do you all do from there?

**DARREL GRAZIANI:** Yesterday I believe we agreed that you were going to publish the notice?

**CITY MANAGER JONES:** Monday we agreed.

**DARREL GRAZIANI:** Monday's meeting?

**CITY ATTORNEY RYAN:** Yeah.

**DARREL GRAZIANI:** Yes. That they were going to publish an after -- you know, a late notice but at least get it published for both events. We're also going to tell you tonight you probably should do April, as well. April or March. I'm sorry. March.

**BOARD MEMBER MILLER-ANDERSON:** So we have more? Oh, for March.

**DARREL GRAZIANI:** We ran the numbers this morning and there -- there's good news; there's bad news. Good news is I did have chlorine residual at all the sites that were sampled. Thank you. That's great.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** And the number of presence, since they say absence or presence --

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

**DARREL GRAZIANI:** -- was 8 percent which is above the 5 percent. But that's showing great improvement. We were at 50 percent.

**BOARD MEMBER MILLER-ANDERSON:** Because it was what before? It was where?

**DARREL GRAZIANI:** We had, like, 50 percent of your samples tested positive, I believe is in the -- in the previous two months.

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

**DARREL GRAZIANI:** So we are -- something's going on. Something's getting better. We do know you did the chlorine, the free chlorine out in the system during March. Correct? Okay. And that -- that's a -- that's a big benefit. We look back at - there was questions about 2010, the consent order there. One of the issues in there we said during that period of the consent order life was to do a free chlorine out in the system at least semiannually.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** And we had good results for several years without having any problems. And then the residuals started to drop again so we're back to, Okay. You need to come in. You need to get this fixed. A couple of things we're asking in the consent order is if you find low residuals, to flush the system, to bring in fresh water. At the City of West Palm, meeting with them, they've had -- they had one low residual. Not a zero but a low. And the discussion was that they're out there collecting samples that they were going to flag it before they get to the regulatory limit and flush before they have a violation. Not while they're collecting their sample.

**BOARD MEMBER MILLER-ANDERSON:** They're being proactive. Being proactive.

**DARREL GRAZIANI:** Yeah, to be proactive.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** And that's the -- it's kind of what's in the consent order. I haven't pushed anything right now but I believe I'll be negotiating for a .8 to give up something else in there.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** But I believe that's a very good practice. I was real happy when I heard that. Some of the other utilities were also waiting till you hit the -- hit the -- you know, you fell below the regulatory limit and at that point it's really too late. And so we're hoping that what we're asking for in the consent order is going to give everyone data, everyone reassurance of its being out there. We did ask for an outside party in the consent order if you haven't read it, a third party. We were only asking for a licensed engineer and a licensed operator for the system and the plant and that could be the same person. The Florida --

**BOARD MEMBER MILLER-ANDERSON:** And what --

**DARREL GRAZIANI:** -- Rural Water Association may be able to provide those services at no cost. And we're asking them to come in and assess your system from top to bottom, front to back and give us a report. And you a report.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** Okay? I don't think it's fair for us to come and do it. Necessarily, I don't think it's fair for your internal staff to do it.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**DARREL GRAZIANI:** We all need a fresh set of eyes. So what you're asking for is way beyond what we're asking for. So -- so good move on that one, guys.

**BOARD MEMBER MILLER-ANDERSON:** Well, that's all I have for you.

**DARREL GRAZIANI:** Okay.

**BOARD MEMBER DAVIS JOHNSON:** Do we have a copy -- Madam Chair?

**CHAIRPERSON PARDO:** Yes. Go ahead, ma'am.

**BOARD MEMBER MILLER-ANDERSON:** I'll -- what you needed, that paper?

**BOARD MEMBER DAVIS JOHNSON:** The consent.

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

**BOARD MEMBER DAVIS JOHNSON:** The consent order. Now --

**DARREL GRAZIANI:** Okay.

**BOARD MEMBER DAVIS JOHNSON:** -- the consent order that you're speaking of

tonight --

**CITY ATTORNEY RYAN:** Is that one (inaudible)?

**BOARD MEMBER DAVIS JOHNSON:** -- is that what's in this binder or is there an additional --

**DARREL GRAZIANI:** I don't have your binder.

**BOARD MEMBER MILLER-ANDERSON:** When was -- what's the date for that?

**BOARD MEMBER DAVIS JOHNSON:** What's the date?

**DARREL GRAZIANI:** That was one that was given in April. Is that the consent order that they had?

**BOARD MEMBER MILLER-ANDERSON:** April 1<sup>st</sup>? Is that the April 1<sup>st</sup> --

**CITY ATTORNEY RYAN:** Right. The --

**BOARD MEMBER MILLER-ANDERSON:** -- one?

**CITY ATTORNEY RYAN:** -- that's the one that was given at the office a couple weeks ago.

**TIM MAYER:** Correct.

**BOARD MEMBER MILLER-ANDERSON:** Given to who?

**CITY ATTORNEY RYAN:** I thought that was sent to the council. I thought that you all --

**CITY MANAGER JONES:** Draft form.

**BOARD MEMBER MILLER-ANDERSON:** Is that --

**CITY ATTORNEY RYAN:** -- it's a draft. It's still -- it's not final.

**CITY MANAGER JONES:** It's not -- it's -- it's not (inaudible).

**CITY ATTORNEY RYAN:** That's the one that has to be reviewed. We're going to have an outside consultant review it.

**UNIDENTIFIED SPEAKER:** (Inaudible).

**CITY ATTORNEY RYAN:** And --

**UNIDENTIFIED SPEAKER:** It's two weeks.

**CITY ATTORNEY RYAN:** -- it's going to be presented to -- to the Utility District.

**CITY MANAGER JONES:** Okay, yeah.

**CITY ATTORNEY RYAN:** Because you remember I said it's over \$25,000.

**DARREL GRAZIANI:** You're -- you're moving hard there, Miss -- Miss Jones. We'll -- we'll work with you.

**CITY MANAGER JONES:** At least I remember.

**DARREL GRAZIANI:** Okay. We -- we are under -- because this same problem has been going off and on for so long, we -- we are -- we were directed by the Florida DEP, which is the primary agency, and from their conversations with the U.S. EPA, that we need a -- an agreement to show progress and moving forward. That's why all those conditions are in there.

**BOARD MEMBER DAVIS JOHNSON:** Sir, is --

**DARREL GRAZIANI:** Who's that? Oh, okay.

**BOARD MEMBER DAVIS JOHNSON:** Is that WP -- do you know -- would you know the case number so that I can make sure I'm looking at the proper thing?

**DARREL GRAZIANI:** Does it say 16?

**BOARD MEMBER DAVIS JOHNSON:** It says WP 247-14.

**DARREL GRAZIANI:** That would be 14.

**BOARD MEMBER DAVIS JOHNSON:** Oh, okay. So I don't think we have that.

**BOARD MEMBER MILLER-ANDERSON:** Did he say no?

**CITY MANAGER JONES:** No. The -- the 16 one is the one for the January/February (inaudible).

**BOARD MEMBER DAVIS JOHNSON:** Okay. So we don't have that yet?

**CITY MANAGER JONES:** No. That's the one that's in draft form that's not in there.

**BOARD MEMBER MILLER-ANDERSON:** So she hasn't given it to us.

**TIM MAYER:** Sixteen is not signed yet.

**BOARD MEMBER DAVIS JOHNSON:** No, it's not signed.

**CITY MANAGER JONES:** It's not signed yet. They told us and gave us a copy so we would know what was in it.

**BOARD MEMBER DAVIS JOHNSON:** So you'll be getting a copy of that to us in -- in its draft form?

**CITY MANAGER JONES:** We will be getting an official copy from them, yes.

**CITY ATTORNEY RYAN:** It's a draft.



**CITY MANAGER JONES:** It's not signed. Like he just said, it's not signed yet.

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**CITY MANAGER JONES:** But they gave us a heads up of what was in it.

**BOARD MEMBER DAVIS JOHNSON:** That was your parting gift? Was that your parting gift?

**CITY ATTORNEY RYAN:** That was the parting gift when they went to the -- to the District --

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**DARREL GRAZIANI:** Okay.

**CITY ATTORNEY RYAN:** -- Office.

**DARREL GRAZIANI:** Let me go through the process.

**CITY ATTORNEY RYAN:** To the Department Office.

**DARREL GRAZIANI:** So everyone understands. The consent order, I believe, in 2010 had a \$2,000 penalty. We offered you in kind which would have been 1,800 or something like that that you could have spent at the plant. For one reason or another you just paid the 2,000.

**AUDIENCE:** Oh, no.

**BOARD MEMBER MILLER-ANDERSON:** No, I --

**DARREL GRAZIANI:** I -- it might have been because -- actually, the in kind burden is not all that simple for the DEP process and it might have cost you more than \$2,000 to meet all of their requirements. So there -- there are business decisions. The -- the consent order is a consent order. I want everyone to understand. We will have to agree to the terms and conditions. If we don't, then there's the other process. I have a good feeling that we're going to make it through a consent order here.

**BOARD MEMBER DAVIS JOHNSON:** Okay.

**DARREL GRAZIANI:** Everything in the consent order, even though my attorney doesn't like to say it, is negotiable. Okay?

**CITY ATTORNEY RYAN:** That's right.

**DARREL GRAZIANI:** EPA teaches me I have to understand your needs and you have to understand my needs. And sometimes my needs require a penalty. So the -- this is one of those times where there will be something. However, the original draft doesn't have the in kind language in there. I'd like -- is Jupiter Labs still here?

**AUDIENCE:** No.

**CITY ATTORNEY RYAN:** No.

**DARREL GRAZIANI:** Do we know where they pulled their samples?

**DEPUTY CITY MANAGER JONES:** We can get you a copy of their papers.

**BOARD MEMBER DAVIS JOHNSON:** He said 15 sites.

**CHAIRPERSON PARDO:** On the -- the map.

**DARREL GRAZIANI:** Well, from your -- your monitoring plant?

**CITY MANAGER JONES:** Well, he did 15 of them. He did 15.

**DARREL GRAZIANI:** Okay. One of the things we learned is -- and this was at the meeting before yesterday's meeting that's -- that will be officially known as -- that you were sampling from people's homes, their taps and their back yards, their side yards, front yards? It's really not a questionable practice. It tells us what's there, but it's really telling us what's in their system and not what's in your water main. Okay? I catch my dog. He's bad, licking that faucet all the time. Okay? I think we've already found our first in kind project which is going to be dedicated sampling points on your drinking water mains.

**BOARD MEMBER DAVIS JOHNSON:** Uh-huh.

**DARREL GRAZIANI:** Okay? That's -- that's something. Right now you need to address probably the sampling. You know, how we're decontaminating the sample taps to make sure we're not getting cross-contamination, that it's the water and not what's on the spigot. So that's something that we'll probably -- you know, I think -- we got that? Okay. I think the team's got it.

**BOARD MEMBER MILLER-ANDERSON:** That's where you get it, from him?

**DARREL GRAZIANI:** Okay? No flames, no alcohol. Not allowed. DEP procedure.

**BOARD MEMBER MILLER-ANDERSON:** Yeah. He understands.

**DARREL GRAZIANI:** The 8 percent this month -- well, last month, March, that's -- that's great improvement. The free burn, that fact that your Jupiter's getting nothing, that shows the value of that. Everybody complains including our senior attorney in my office every time Palm Beach County does it. They complain to me about the taste, the odor. But it -- we're doing that for public health and safety. Doing that to avoid these problems, because as that biofilm -- sort of like your pool when you don't chlorinate it, it gets algae in there. That eats up your chlorine. If it eats it all up too much we run into a -- a problem down the road called nitrification. We want to avoid that at all means. And so far we've been doing good on that so we're right there. As my boss likes to say, the engine warning light is on. It's time to get it checked and figure out what's wrong and get it fixed. Okay?

**CHAIRPERSON PARDO:** Any other questions? Well, gentlemen, thank you very much.

**DARREL GRAZIANI:** You're welcome.

**CHAIRPERSON PARDO:** Really appreciate it. And I'm sure staff -- you want to say something?

**CITY MANAGER JONES:** Yes.

**CHAIRPERSON PARDO:** -- looks forward to continue working with you.

**CITY MANAGER JONES:** Thank you.

**MAYOR MASTERS:** Mr. Jones, tell Mike alternate mike's off.

**DEPUTY CITY MANAGER JONES:** My mike?

**MAYOR MASTERS:** No, my mike.

**DEPUTY CITY MANAGER JONES:** Okay.

**BOARD MEMBER MILLER-ANDERSON:** The Mayor's mike is not working.

**CHAIRPERSON PARDO:** Okay. All right. Go to Public Comment?

**CITY MANAGER JONES:** Yes.

**CHAIRPERSON PARDO:** All right. At this point we're going to go to Public Comment. All right. We'll start with Henry Taylor and then Lynne Hubbard.

## **VIII. PUBLIC COMMENT**

**HENRY TAYLOR:** Henry Taylor, 8355 Woodmill Drive.

**CHAIRPERSON PARDO:** Good evening.

**HENRY TAYLOR:** I'm very happy to learn that the City Manager has come up with a solution and she did a job that was counteracted by your City Council. I remember when we were in here talking about the Water Department and them holding the landlords responsible for water bills and we had the Mayor to take an action to relieve Mr. Aurigemma or whatever his name is, Mr. A, I will say. And that City Council sat there and brought him back from off the job. Brought him back and put him back to work. If they had not done that, we probably wouldn't be in this problem today. And Mr. Guyton, you were part of that. And I know that the other two ladies that's on the Council was not a part of it. Because it happened before they got here.

And I want to remind you, and a lot of the people here in the audience of a statement that Mr. Guyton made last night in the meeting that he wants to blame the homeowners with their pipes in their houses for this water problem. It might be

a possibility. But if he think -- and I have been a -- an inspector for 38 years and have the experience. Not a plumbing inspector but I have plumbing inspectors with me. That if during the time when these houses were built the specifications for pipes was copper pipe and we never had a problem with copper pipes running in the houses. They were to code. And that's the way things were.

The problems were not coming from the piping inside the houses. Now, we are on the road to getting this problem straightened out. And I hope that we can't to do it. It's unspeakable that you have had us sit in this meeting today and get off the subject of what we came here for to take care of some other things. We sat here for almost an hour with you talking about hiring somebody else to do something else. And we came in here to talk about the problems that we were having with this Water Department. I will hope that you don't do this again. When we have a meeting and you have people to come in and want to make conditions the way that they should be done, I think we should stick to the subject. And when you have other things that you need to do to help correct that, that you do it at the end of the meeting, after everybody has voiced their opinions. I thank you very much and good luck to you.

**CHAIRPERSON PARDO:** Thank you very much, sir. Lynne Hubbard and then Mami Kisner.

**LYNNE HUBBARD:** Good evening, 14 --

**CHAIRPERSON PARDO:** Good evening.

**LYNNE HUBBARD:** -- Lynne Hubbard, 1405 W. 23<sup>rd</sup> Street.

**MAYOR MASTERS:** Good evening.

**LYNNE HUBBARD:** Riviera Beach, Florida. While we are being reminded that a boil-water act was not required and, therefore, not issued, it does not negate the fact that we should have been notified. And I don't want us to gloss over that in any shape, form or fashion. While Mr. Guyton insists that the water is safe for us to use, it does not necessarily mean that it's safe for us to use. We squabbled last night about the 4 percent was not correct that was reported in the news. We were told -- and I wanted the public to be real clear on that. We were told that it was -- that we were at 0.5 percent and that was above the legal required limits. Our percentage rate was 20 percent. So if you divide that, that is four times -- that is exactly what it is, four times the legal limit. So I don't like it when we're -- we're wordsmithing and playing games and assuming that the general public doesn't understand what is being said to us.

If it's over, it's not good for us. Maybe we should have had the choice as to whether or not we wanted to cook with it, drink with it, bathe with it or what have you. Even though we weren't required to put out a -- a boil-water act notice, we were required and we deserve and we're better than that, that we should be notified when we are in jeopardy. And we can't say that we're not in jeopardy because no one knows anybody's in particular health and how easily one system is

compromised over another. The other thing that I want to bring up and bring to our remembrance is when Solitron and Honeywell contaminated the water and the ground. I live on 23<sup>rd</sup> Street. Solitron was just beyond Blue Heron. And as Sybil Mitchell mentioned that night, so many of the people in our neighborhood have cancer. She and I are the same age and some of the -- some of our friends have died.

It was Michael Brown who went and confronted the EPA, Honeywell, Solitron, fought for a filtration system for us to have to protect ourselves. And I would concur that there is nobody more specialized and know the process, that love and is dedicated to the City of Riviera Beach than he. So if we bring in people from the outside and thinking they're here just to make a -- not here just to make a check, one thing we know we have somebody that's dedicated and someone who has the skill sets, has technical knowledge, not just the legalese of understanding the papers that was received, the consent letters, if you will. Thank you.

**CHAIRPERSON PARDO:** Thank you. Mami Kisner and then Margaret Shepherd.

**MAMI KISNER:** Good evening, Mr. Mayor and Council.

**CHAIRPERSON PARDO:** Good evening.

**MAMI KISNER:** Good -- good evening.

**MAMI KISNER:** And City Manager.

**CITY MANAGER JONES:** Hello.

**MAMI KISNER:** Thank you again for allowing me the opportunity. I got emotional about my kids last night. Everybody knows that I love children. I want to thank you for taking steps to make changes. We're all adults and we all make mistakes. But we have to admit them, as the Mayor said, and we have to take steps to correct them. But these are not new problems. I told you last night for at least five years, but two, I've been coming here telling you there are issues in the Utility District. And I was ignored by some of the council that I tried to have meetings with. Madam Chair would not take my meeting. Other council people took the meeting, including the Mayor. I asked the City Manager to meet with me and gave a list of issues and nothing was done. Was supposed to get back to me so that I could get back to some of the residents. I've been on the phone all day with senior citizens living in this community who are worried. Not just about their water, but about their leadership. They are concerned that thousands of dollars are being spent by the stroke of a pen. Three consultants were hired over there in the Utility District to find out the issues that were going on that I told you about. Now, what are the results of those consultants?

You as a board should have those results. The only result I heard is that, Oh, they only sampled 10 people out of I don't know how many. And the water guys weren't even asked questions. And then the other ones were intimidated and said you had to put your name on it, on the survey. That's not how you do it. And that is not how

you hire professionals to do the job that they need to do. So \$45,000 was spent with three consultants. Now you're looking at a fine of 25,000, 10,000, 4,500, which is 14,500, and now you gotta find out where the other 2,600 -- call the Health Department. I'm sure they have the records. You don't have to look for them.

These people are worried. They are on fixed incomes. They are crying out for help. Please, please. You gotta put some checks in place. If the people who are doing their jobs are not qualified and especially in the water and the sewer, they don't have the right license to supervise or lead, you must make the changes. Because we're going to be sitting here again. As Councilman Davis has said, Johnson Davis has said, "Reactive and not proactive." And you can sit here and act like you don't hear me. But as I told you last night, every time a senior citizen calls me, I'm coming back because I'm going to be a voice for those who cannot be here. Thank you.

**CHAIRPERSON PARDO:** Thank you. Margaret Shepherd and then Fane Lozman.

**FANE LOZMAN:** Margaret Shepherd, Riviera Beach.

**MAYOR MASTERS:** Good evening.

**FANE LOZMAN:** Good evening, Mayor, Bishop Masters, and to all of you and your respectful places.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**FANE LOZMAN:** I wish I was a fly on the wall. I'm appalled that the Utility District, whatever he was that was put on leave -- and he didn't do nothing behind closed doors. He talked to Pro Tem Davis like he was a low-down dirty dog. The Mayor put him on suspension. Y'all brought him back and paid him his salary. He was on a vacation for being ugly to this City.

**MAYOR MASTERS:** Huh. That's right.

**FANE LOZMAN:** And I'm very angry if you're saying that something is not wrong with the water. Something is wrong with the water. I'm going to tell you something. It's something wrong with that water. Let's go back. Who? Who knows what happened? Mr. Sherman's standing there. He cut a \$10,000 check. Y'all can't tell me nobody didn't know anything. I don't write those large checks but I know I'm in trouble if I'm going overboard. And I'm appalled to it. Mr. Sherman, I just heard the other day, is over the Utilities, the men. How does the Finance Director be over the Utilities? That's crazy. That's insane. He's -- why? I -- I don't understand. Those guys was going to jump on him. Let's tell the truth. Mami Kisner kind of hit on it a little bit. They were gonna kill that man over there. Some of them came to me and said, "Miss Shepherd, if you don't help me I'm going to hurt him. I'm going to hurt him." They was going to hurt that man. He should have been there. He's an outsider. He doesn't care about how we feel. Do you take a bath and I -- I told my daughter that, "Don't give that dog none of that water out the sink. Give that dog

some bottled water." That's a shame I feel that way.

**MAYOR MASTERS:** Uh-huh.

**FANE LOZMAN:** It's time for you all to stop this. I feel like it's a cover-up going on. Somebody's doing something. You all can't tell me you don't know. "I don't know. I --" somebody knew something.

**MAYOR MASTERS:** Uh-huh.

**FANE LOZMAN:** How does this man fit in? He's second in control. He doesn't know what happened?

**MAYOR MASTERS:** Doesn't recall.

**FANE LOZMAN:** He does -- oh, he recalls.

**AUDIENCE:** Yeah.

**FANE LOZMAN:** And you know what, Miss Jones? He need to go with his boss. He needs to go. So what is Troy gonna do? He's gonna go there. You're going to bring -- so what does he do? He's taking up another salary. I'm appalled by this. Mami hit on it. During the election, people gave me money to give to the candidates. I took food to the senior citizens and what little bit I had --

**AUDIENCE:** Get it. Get it.

**FANE LOZMAN:** -- if y'all are gonna do something --

**AUDIENCE:** Get it.

**FANE LOZMAN:** -- I will come to this mike every Wednesday. Somebody getting up out of here. And it definitely might be me.

**CHAIRPERSON PARDO:** Thank you. Fane Lozman and then Doshia Newbold.

**MAYOR MASTERS:** Madam Chair, while Mr. Lozman is coming, Miss Shepherd, I hope you didn't take any of my money and go buy something else with. I needed my little campaign money. But I won.

**MARGARET SHEPHERD:** (Inaudible).

**MAYOR MASTERS:** I won. The best kept secret in town. Okay. Well, I didn't get it. Thank you.

**FANE LOZMAN:** Fane Lozman, Singer Island. Can somebody confirm? I found an agenda for February 17<sup>th</sup> Utility Board meeting. Did that meeting take place February 17<sup>th</sup> or not? 'Cause there's an agenda for it on the Internet. So I'd like to know, did that happen or not? Was there a meeting February 17<sup>th</sup> or not? If there was, we got a big problem because you cut that check six days earlier and you made an excuse, "Well, there wasn't a meeting in March or April." What about

February 17<sup>th</sup>? Now, when you have a health emergency, when you're writing a check for \$10,000, you don't have to even wait for Utility District. You bring it to the council's attention one-on-one. You pick up the phone and you say, "Listen, we have a problem."

**UNIDENTIFIED SPEAKER:** It's not (inaudible).

**FANE LOZMAN:** And you can brief each council member individually. I can see you -- you don't really care about anything I say, Miss Jones. For two years I've tried to get an appointment with her to talk about misconduct in other departments of the -- of the City. For example, there's six light poles on my property. Part of the sidewalk is on my property and two big electrical vaults are on my property. When Dan Taylor's lawyer sent a letter to Miss Jones, she moved one light pole. Why didn't you move the other six light poles? The other electrical vaults? Why didn't you get your building official and say, Why are you putting all this stuff on private property and not in the easement? But you don't care. You don't have to return my phone calls. The bottom line is you wrote that check on February 11<sup>th</sup>. I think there was a meeting on the 17<sup>th</sup> and you could have told the Utility Board then. You didn't. You didn't pick up the phone and tell anybody.

Yeah, maybe the levels weren't that high but if you're 80 years old with a compromised immune system maybe that killed you. Maybe it killed somebody's sick pet. Do you ever think about that? You know, you're not God. You don't take the people's health into your own hands. You need to be terminated tonight. Because it's one scandal after another with you. Do you remember you were put on probation? You were put on probation for six months. You said you would do a good job. What about the scandal January 2014? \$880,000, the OIG report. 23,000 renting cars. 111,000 unaccounted for. And you go like, "Oh, well, we'll do better and we'll do this."

I'm tired of hearing the same excuses. I'm a taxpayer. These people in this room are taxpayers. You're not doing the job. You're trying to blame this person and that person and that person. You're a -- you're -- this is the last straw. You could have picked up those phones and briefed everybody in this room and you didn't. And now you're putting the blame on someone else and giving -- we'll try to pretend it didn't happen. You have been a mess-up for years. You need to go. A lot of people said that last night. And Miss Ryan, you knew about it in January. Why didn't you tell your buddy Mr. Guyton and Miss Pardo, "Hey, we got a big problem. We have a health emergency in this state." But no, you don't want to tell anybody 'cause you don't care about this community, either. It's just a big joke for you.

**CITY ATTORNEY RYAN:** I've lived here my whole life.

**FANE LOZMAN:** Did -- did you -- did you -- did you tell them you just spent \$14,000 on Richard Jarolem to defend against me wanting to get an address for my property? Did you have an executive session? No. You two just think you run the City and you're unaccountable to anybody. But you are accountable.



**CHAIRPERSON PARDO:** All right. Thank you.

**BOARD MEMBER MILLER-ANDERSON:** Madam Chair, while the other person's coming up --

**CHAIRPERSON PARDO:** Doshia Newbold and then Warrie Leonard. Yes, ma'am?

**BOARD MEMBER MILLER-ANDERSON:** Miss Jones down there? So we did have a meeting on the 17<sup>th</sup> of February.

**CHAIRPERSON PARDO:** No. No, it was --

**CITY MANAGER JONES:** Oh, it was canceled, I believe because --

**BOARD MEMBER MILLER-ANDERSON:** Well, that there is a video on here.

**CHAIRPERSON PARDO:** That's City Council.

**BOARD MEMBER MILLER-ANDERSON:** There's video.

**CHAIRPERSON PARDO:** Right. Then may -- then it --

**CITY MANAGER JONES:** Well, then --

**BOARD MEMBER MILLER-ANDERSON:** Huh?

**CITY MANAGER JONES:** -- we might have. I -- I -- I -- really I'm looking at this schedule here and I don't see it on her calendar.

**BOARD MEMBER MILLER-ANDERSON:** Well, I pulled --

**CITY MANAGER JONES:** If he -- if he -- the --

**BOARD MEMBER MILLER-ANDERSON:** -- no, it's pulled -- the -- the agenda and the video is there.

**CITY MANAGER JONES:** -- there was a meeting on the 17<sup>th</sup>.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So we had one but you didn't -- you didn't know about the \$10,000 check at that time?

**CITY MANAGER JONES:** I knew about it and as I said earlier, I --

**AUDIENCE:** Turn that mike on.

**AUDIENCE:** The mike.

**BOARD MEMBER MILLER-ANDERSON:** Pull your mike out. Your mike.

**CITY MANAGER JONES:** Unfortunately I -- I was untimely in informing you.

**BOARD MEMBER MILLER-ANDERSON:** Mike. Microphone. They can't hear

you.

**CITY MANAGER JONES:** Oh, yes. I -- I -- that was the first thing in my first statement when I said --

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

**CITY MANAGER JONES:** -- about being untimely and informing you.

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

**CHAIRPERSON PARDO:** Okay. All right. Miss Newbold, good evening.

**MAYOR MASTERS:** Good evening.

**DOSHA NEWBOLD:** Good evening. Dosha Newbold, 825 W. Sixth Street.

**UNIDENTIFIED SPEAKER:** Hello.

**MAYOR MASTERS:** Good evening.

**DOSHA NEWBOLD:** I have a lot to say. I hope I can do it in the time frame. I commend you, Reverend Masters, and you know normally I'm not on your team but I commend you for calling the Special Meeting.

**MAYOR MASTERS:** Thank you.

**DOSHA NEWBOLD:** KaShamba, I appreciate you asking intelligent questions and making them break it down. You and Miss Davis. For Mr. Bruce Guyton, a lot of y'all may not like Bruce, but Bruce has been very instrumental in helping a lot of people in the city. I have to give him his props. For Mr. Terence Davis, when the gentleman said last night about Park & Recreation, my grandchildren play -- yes, I have grandchildren -- basketball and Terence do attend the basketball games. Now back to what I'm here for. Miss Jones, no disrespect but you made mention that water was important. Water is not important. It is vital for existence.

I heard you say several times, "I was going to. I was going to." And I don't think that that's acceptable. With the OIG incident, we gave that a little pass. But when you start writing \$10,000 checks and not confirm with the people that's responsible for you being there, we have a problem. And normally if you start at the top and clear that out, the bottom will come together. So in my personal opinion as a citizen and a taxpayer, I think Mr. Sherman, that knew about all these checks, needs to be fired.

**AUDIENCE:** Yes.

**DOSHA NEWBOLD:** I think as the council members and I'm requesting as a citizen -- as the council members, y'all need to investigate the competency of the city manager. She's the CEO of the City. And I feel like she needs to be voted out. I don't think she's competent to stand before us and write these kind of checks, embarrass this city with not reporting what should be reported. And then to sign a

check and four days later come into a meeting? Oops, I forgot. \$10,000? 26 -- \$25,000 owed now? I hate to say it but you're writing blank checks. You're just writing checks. That's our taxpayers' money. We let the OIG thing -- okay. That was a mistake. We need another city manager. I'm requesting that you either do it tonight or the next council meeting. We need to vote and we need to get rid of Miss Jones.

**MAYOR MASTERS:** Thank you.

**CHAIRPERSON PARDO:** Thank you. Warrie Leonard and then Oliver Paige.

**WARRIE LEONARD:** Good afternoon.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**WARRIE LEONARD:** Excuse me, Warrie Leonard, 1901 W. 23<sup>rd</sup> Street. I heard this word tonight called waterology specialist. As I sat in the audience, it came to me none of you all up there are specialists. So don't talk about the residents not being knowledgeable. You all are not knowledgeable. So when you do that committee, don't look at knowledge 'cause you don't have it. We're all on that learning curve. We need to get past that. Just throwing out a big word don't mean nothing. The only knowledgeable person came in here tonight was the Health Department. He gave us information. And he told the truth. And the truth shall set us free. And that's what we need, clean water. Okay. I sat at home and I watched Miss Jones give her speech before council about firing Mr. A. Well, my thing is that it need to go past that because Mr. A is not by himself. The city manager knew. The attorney knew and who do they answer to? You all. So you need to deal with that issue. She's been on probation once. Are you going to put her again? And the answer is yes. You're not going to get rid of her. I'm not crazy by a long shot. You're not going to touch the attorney. But you need to do something. You need to put them in check. You need to do rules and procedure for your city manager and your city attorney. You are the head of three boards, the City Council, the CRA and this Utility Board. You just gave yourself \$1,000 raise. Maybe you need to use that \$1,000 and let somebody else be on one of those boards that'll pay for that, because we're paying for something we're not getting. Maybe you need -- your head is getting too big. You don't -- you can't absorb any more knowledge. So you need to either break off a committee and get somebody that's going to do it, or you need to put rules and regulation to the city manager, city attorney, because the department head answer to them. If you're not going to do it, why did you run for council? Please be fair. Thank you.

**CHAIRPERSON PARDO:** Thank you. Oliver Paige and then Norma Duncombe. Mr. Paige? Okay. Miss Duncombe? And then Mary Brabham.

**NORMA DUNCOMBE:** Norma Duncombe.

**CHAIRPERSON PARDO:** Good evening.

**MAYOR MASTERS:** Good evening.

**NORMA DUNCOMBE:** To the Mayor and Council, I -- I sat there last night and then again tonight. And the problem is a management problem. Council, you have to make big decisions. And you have to be receptive when you get information in terms of what you do and how you do it. Now, I'm going to go back a few months ago. And I can remember that the City Clerk was relieved of duty without pay for two weeks because she did not accept a \$2 spaghetti dinner from a council member. When I heard it I could not believe it. I could not believe it. And it was done just, you know, a meeting tonight and within a short period of time. It was moved on and that was it. And of course, Miss Ward didn't say anything. She just sat there and continued to do her duty. Because she always said even if somebody took her to court, "I'm here for the people. I'm going to do the job that I am supposed to do."

And she didn't say anything. And it was up to -- it was three of you that voted her back in her position with pay. And I appreciate you for doing that. But I'm saying it's management that's here. We have all these problems and you suspend someone for two weeks without pay because that person would not accept a spaghetti dinner. We're -- we're -- what are we thinking?

And I'm saying with you, Council members, you're -- you're going to have to make the hard decisions. And sometimes you have to stand by -- alone. You can't just, you know -- you're going to have to stand and do what's right for the City. If I want a house built, I'm not going to try to manage that. That's why I called in a contract - a contractor. Because I knew what I wanted but there was no way I could do it. And I got the best. Because I did it that way. We are a city of what, about 30,000? We need a manager. We need a manager that could handle the things that are being -- that we need to have done. And what you're going to have to do is not just sit there and ask questions. You're going to have to -- you're going to have to take a stand. If you need somebody to give you advice, maybe you need an advisor. Mr. Terence came up with an idea about the water. Who better to deal with the water than someone who took the stand to say the City is putting out millions of dollars for our water. Let's go about it another way. And he did solve the problem. So let's try to operate that way. Thank you.

**CHAIRPERSON PARDO:** Thank you. Mary Brabham and then Willie Millsap.

**MARY BRABHAM:** Good evening. Mary Brabham. City Manager, Chair --

**CHAIRPERSON PARDO:** Good evening, ma'am.

**MARY BRABHAM:** Mayor.

**MAYOR MASTERS:** Good evening.

**MARY BRABHAM:** And the residing Council. We have learned some life lessons here this evening. First of all, anything that comes through this city here that's pertinent to the residents, never allow it to go to the chair or none of the council representatives. It should be designated to the city manager when it includes the residents, the entirety of this city. So that's one life lesson. Second life lesson is

we do need a Utility Attorney. An expert. The attorney put it out there tonight. And I'm not taking away from her. But we're having major problems here. And our city needs to come back together. And the only way that we can get this city back together is you all will have to show it some trust and to allow us to regain the trust. We need an expert Utility attorney. Attorney Michael Brown. Councilman Davis just touched on it. See, I gave the previous council that pertinent information. I also gave it to the city manager. Miss Jones did tell me when I gave it to her she researched it, because what I said, this exactly EPA. The filtration of those filters. This is what it was saying. And it -- am I right, Miss Jones? Because when I stand here --

**CITY MANAGER JONES:** Yes, ma'am. You're right.

**MARY BRABHAM:** -- I'm not talking off the top of my head. I've been trying to warn you but everybody took the information and laid it aside. That's why you'll find the \$25,000 from the EPA, because it was set in motion for X amount of years and they challenged the City of Riviera Beach to continue it. This is where we are today. We have three city managers in this city here. Before we said a city of this capacity, we do not need that many. But since you all want this, who is the daily operational manager of this city here? Because that's the other pertinent thing there. We need a daily -- daily -- not one day. But daily. We may be a city with a less population but we inherit more details. We need -- we need oversight. We need to be structured. And the only way that we can come back and be a family back in this city here, we have to have structure. Now, whether or not it comes from the board, we as residents would do it for you. But we're challenging you to do it. We hold no hostility, but we're asking that you take charge and do the things that you need to do to make us whole again. Because we're not whole now. Get your daily operational manager and demand that accountability whether it's a he or a she, but this city needs it and we need an expert Utility Director. It's okay to hire -

**CHAIRPERSON PARDO:** Right.

**MARY BRABHAM:** -- Attorney Michael Brown. Because he knows.

**CHAIRPERSON PARDO:** Okay, Miss Brabham.

**MARY BRABHAM:** He knows. Thank you.

**CHAIRPERSON PARDO:** Thank you. Willie Millsap? And then Willis Williams. Good evening, sir.

**MARY BRABHAM:** Good evening. Willie Millsap.

**MAYOR MASTERS:** Good evening.

**MARY BRABHAM:** 562 W. Sixth Street. I have a statement to make because I see Mayor Masters asked the young lady to go out and get him some water. He got some water and drank it and I was looking at the water when it came back in. It

was nice and clear. Looked good. But there's a filter on that. Is it a requirement for every home in the City of Riviera to have a filter on their water in order for them to be able to drink it? Or is it reasonable for me to have copper pipe run into my house and you have PVC run into yours? Which one gives us the best drinking water that we have within our city itself? I've listened at each individual here have their different comments. Some of the comments that the individuals came up before me, I respected what they said because I wanted to say some of those same things. But being in the management position in my past history --

**MAYOR MASTERS:** Uh-huh.

**MARY BRABHAM:** -- you have a responsibility down the line. Now I've heard the individuals in here tonight speak and they're speaking as if they were like me, with an eighth grade education. That is bad to say, "I don't know. It hasn't been put in front of me." I'm quite sure y'all got some paperwork and for me, I'm still working with the flip phone. Y'all got all kind of data that you can work with to find out and give me some information. But y'all have got to the point in here tonight, y'all wasn't able to give us any information that was leading up to where we were to spend money in January and February. But if I missed paying my water bill, it'll be cut off in how many days? So why is it that you cannot respond to us in an adequate and ample time for us to understand it? If we were fined in January, you got it in February. You didn't do anything about it in March. I'm quite sure the fourth month of the year say it's April. And tonight everybody's saying, "Well, we got it on the 7<sup>th</sup>."

Well, today is the 26<sup>th</sup>. And there was no response yesterday. And I happened to be doing like everybody else, looking at the news, being nosy, and found out about it. So I'm quite sure if you got it on this stuff right here they call paper, or you got it through social media, y'all should have been able to address this a little bit better to us than what y'all did. My little mind, I'm paying for these taxes here, need to be represented a little bit better than what it is. So whoever needs to go, as that lady said earlier -- and I don't want to call her names -- it starts up here and it comes down. So if the shoe fits you, you need to put it on and wear it. Don't fire that one man. There's several of y'all that's not doing your job that don't need the job you got. Give it to me 'cause I don't know what I'm doing just like y'all. Have a nice evening.

**CHAIRPERSON PARDO:** Willis Williams and then Aurora Kenny -- Kenner.

**MAYOR MASTERS:** Debbie?

**WILLIS WILLIAMS:** Good evening, Willis Williams, 1690 W. 26<sup>th</sup> Court.

**CHAIRPERSON PARDO:** Good evening.

**MAYOR MASTERS:** Good evening.

**WILLIS WILLIAMS:** Hold up. Hold up. Miss Pardo?

**CHAIRPERSON PARDO:** Yes, ma'am -- sir.

**WILLIS WILLIAMS:** On -- on many occasions I heard you say that -- and the reason why I didn't get up last night and make any comments, because I've heard you say the same people come in here and talk. Well, last night was a pleasure. There was so many different people that were saying the same thing. And it bewilders me that this city has been operating as long as it's been operating and you're telling me that we don't have policies and procedures intact right now in books, on paper. So employee -- employer gives to the employee on what his task is. Miss Jones, in your tenure, is there any one time that you reached to the former city manager to find out anything?

**CITY MANAGER JONES:** (No audible response).

**AUDIENCE:** No.

**WILLIS WILLIAMS:** No. The problem here is we don't want to reach out to the -- what do they say, the other side. And -- and that -- that's been a big problem. I would love to see someone come in to that Utility District and do a tremendous job. But Aurigemma never was the person and we knew that. Number one because he lived in Fort Lauderdale and he should have never got that contract to drive that car down there. It shouldn't have never been that. But we did that. Because we had policies and procedures that said every department head's supposed to live in the City. And you took that and y'all just did what you wanted with it. But it was there. You also have a risk management on board and it scares me that she's not in this same loop. What do you -- what does the risk manager do? Just sit over and sell insurance? No. That department over there runs 24 hours a day. If they lock up at 6:00 in the afternoon and take off, who checks on them at night? Not one of y'all. Nobody. Mr. Aurigemma wasn't going to come from Fort Lauderdale and check on them. So you don't know what samples they're taking. I know two guys that -- that retired over there that spent most of their times on a cot sleeping. Oh, we know you know about it. So let's -- let's not fool ourselves. It's a whole crew of y'all that needs -- you're not doing the job. Bottom line, you're not doing the job. And it ain't no gun -- no fun when the rabbit gone the gun. Y'all need to move out.

**CHAIRPERSON PARDO:** Thank you. Aurora Kenner.

**ORA KENNER:** Hello, good evening.

**CHAIRPERSON PARDO:** Good evening, ma'am.

**ORA KENNER:** My name is Ora Kenner [phonetic]. And the reason --

**MAYOR MASTERS:** Good -- good evening.

**ORA KENNER:** Good evening. The reason why I'm here today, because yesterday as I -- I attended the Special Meeting, I was attacked by an Evelyn Clark and, you know, because I was wearing a Bruce Guyton Stinks button. And she attacked me. And later I did my research and found out that she is a chair -- how

do you say, a worker of Mr. Bruce Guyton. So what happened to my rights of me wearing or saying whatever I want and, you know -- and then she brought the whole racist card on me. Little do she know, yes, I might be white in my skin but I'm black at heart. My husband's black and my children are black. Okay? So when you try to throw the racist card at me it doesn't work with me. And not only that, when the police officer that's in the back came outside, I told him that --

**CITY ATTORNEY RYAN:** (Inaudible).

**ORA KENNER:** I'm sorry?

**CITY ATTORNEY RYAN:** That was last night?

**CHAIRPERSON PARDO:** Uh-huh.

**ORA KENNER:** Yes. I did tell him that I was attacked, you know, and he's like, "Well, you need to calm down," whatever. And so I told him, I said, "Well, I've been attacked. I want to do something about it." He didn't do nothing about it. I understand he works inside. It's not his fault. You know, I -- I -- I think you guys should have an officer outside in the lobby so this wouldn't happen again. You know? I went downstairs to the police station and I picked up the phone and I said, "I want to file a complaint. I have been attacked. You know, I need somebody to come now and speak to me." Well, she's like, "What's your address?" And I said, "Well, no. I want to speak to an officer first. What does it matter what's my address? I am a Riviera Beach residence." And she's like, "Well, I need to know so I need to know who I need to call -- what district to call." I'm like, "Ma'am, I'm in your Riviera Beach office. Please send somebody to come help me."

And so she said, "Well, ma'am, I need to know your address." So I hung up. So I need to know what are you guys going to do to help me in this situation. You know, I don't appreciate that, because she works for Bruce Guyton, you know, I -- I can't wear my button? 'Cause she snatched it off of me and, you know, she attacked me. No, I don't here for that. I don't come here for that. So I need to know what you guys are going to do to help me. Thank you.

**CHAIRPERSON PARDO:** Thank you. So, okay, can I have her card? So Miss Jones, you need to get with her and we need to figure out, you know, if someone goes in to the police station downstairs and they pick up the phone and they need to see a police officer, someone needs to come down immediately instead of asking what district.

**CITY MANAGER JONES:** You're right.

**CHAIRPERSON PARDO:** It -- in my opinion, it doesn't matter what district. They just need to come down and take care of her. That is unacceptable.

**CITY MANAGER JONES:** You're right.

**CHAIRPERSON PARDO:** Okay. With that, do we have any council comments?



We're ready to go? We're going to end the Public (inaudible).

**BOARD MEMBER MILLER-ANDERSON:** Are we finished with the comments?

**CHAIRPERSON PARDO:** Yes, we are.

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

## **IX. MAYOR AND UTILITY DISTRICT MEMBERS COMMENTS**

**BOARD MEMBER MILLER-ANDERSON:** Well, I've sat and I've listened to a number of residents, and I wanted to hear from the public, as well, before I stated anything that I -- I'm about to say. I know we keep going around the bush. But at what point are we going to realize that numerous people knew about this situation? Yes, Mr. Aurigemma has been relieved of his duties, but we can't just say it's fixed; it's solved; he's gone. He wasn't the only one that knew about it. Sure it sounds like he probably was getting the bulk of the information. But Miss Jones as his -- his boss, you were to oversee him and then if it wasn't happening, there were some processes that should have taken place that didn't. And I don't think that just holding him accountable for it is enough.

I feel that you have a role in this, as well. And there should be some sort of consequence for you, as well. Because as his boss, you're responsible for him. And I mean, to say he's gone, that's not -- that's not enough for me. I have not heard anyone on the board said that there is any kind of consequence for Miss Jones. I haven't heard anyone say there's any consequence for Miss Ryan. Both of them knew January and February and no one, not one of them said anything to us. It is April, almost May. I do not understand why we're going to sit here and just act as if this is not happening. If we were in some other corporate world, the person at the top would have been gone.

**AUDIENCE:** Exactly.

**BOARD MEMBER MILLER-ANDERSON:** And that's just how it is. It's not personal. It's none of that. As a person I like you but that's not what it's about right now. It's not about that at all. It's about making sure that policies and procedures are -- are -- are -- are -- are followed, which we found out we typically don't have policies and procedures. And when I ran about a year ago it was about the OIG report and there were a number of policies and procedures that were not in place then. And when it came to doing your contract I voted no because I said, you know, up -- for that amount of time I was not confident in what was taking place with you. And so because of that I -- I could not vote to extend your contract on neither one of the occasions. And I made it very clear to you that there were some things that I felt needed to happen. I hadn't seen them yet.

And I -- you know, it's just one thing after another. And at some point, like someone stated -- I can't remember who it was. I think it was Miss Davis Johnson about insanity. The definition of insanity. We -- we've seen this over and over. But no one has put an effort to say there's a consequence that needs to be had. And I

don't see how we can walk away and go home tonight and act as if it -- our problems are solved. I -- you know, I want to make a motion that Miss Jones is suspended for 30 days without pay.

**CHAIR PRO TEM DAVIS:** Second for discussion.

**CHAIRPERSON PARDO:** There's a motion. Is there a second?

**CHAIR PRO TEM DAVIS:** Second for discussion.

**CHAIRPERSON PARDO:** All right. Second. Go ahead, Mr. Davis.

**CHAIR PRO TEM DAVIS:** Thirty days starting when?

**BOARD MEMBER GUYTON:** Who? Mr. Davis?

**CHAIRPERSON PARDO:** Excuse me?

**BOARD MEMBER GUYTON:** You said, "Go ahead, Mr. Davis"?

**CHAIRPERSON PARDO:** Right. You said, "Second for discussion." Go ahead. Discuss.

**CHAIR PRO TEM DAVIS:** I said --

**BOARD MEMBER MILLER-ANDERSON:** He just asked the question.

**CHAIR PRO TEM DAVIS:** -- I just said, "Thirty days starting when?"

**BOARD MEMBER MILLER-ANDERSON:** Effective immediately.

**AUDIENCE:** Exactly.

**BOARD MEMBER GUYTON:** Madam Chair, I've got a question to the attorney.

**CHAIRPERSON PARDO:** All right. Mr. Guyton.

**BOARD MEMBER GUYTON:** Miss Attorney, is this the venue to deal with the city manager's contract or -- or -- or her as --

**CITY ATTORNEY RYAN:** Okay. Right. All right. I didn't see it going this direction but let's be clear where we are. The Utility District does not have any employees. All the employees of the City of Riviera Beach and the Utility District belong to the City of Riviera Beach. This board is here for the water, you know, you -- you all have the charter. But this board cannot -- does not have the authority to hire or fire any city employees because you don't have any employees. So no, this is not the correct venue to make this motion. It's not.

**BOARD MEMBER MILLER-ANDERSON:** Okay. What is the correct venue?

**CITY ATTORNEY RYAN:** The City -- only the City Council. You can't just -- you have to -- when you think about the Utility District, think about the CRA. It would not

be appropriate for you to try to fire or hire a Utility -- a CRA director as a City Council meeting. So this is the same as the Utility -- as the CRA. You cannot hire or fire any of the employees of the City or the CRA at this meeting.

**BOARD MEMBER MILLER-ANDERSON:** I'm not trying to hire or fire her right now.

**CITY ATTORNEY RYAN:** Or suspend. You can't -- you don't -- just like this board doesn't control any of the employees. And even when the Mayor talked about -- when the Mayor talked about suspending Mr. Aurigemma, he did so in his capacity as the Mayor of the City of Riviera Beach, and he was doing it to an employee of the City of Riviera Beach. Miss Jones is not an employee of the Utility Special District and so this board -- and I -- I have to keep you straight on these -- on these things because I don't want us to get in trouble. You know, we're sued in different -- different capacities and we really have to maintain the difference. So this -- this board cannot take action against employees of the City. The correct venue is only at the City of Riviera Beach for City employees. If you want to do something with the CRA director, the only venue is at the CRA.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So I want to make sure that we get that on the agenda for May 18<sup>th</sup> when we have our next meeting if this is not the correct venue for it. However, I do hope that my counterparts understand that we're just -- you can't just walk away from this and -- and say Mr. Aurigemma is going to be the fall guy. He is -- he did not act alone. He was not -- what is it? Oh, you're done? No, I saw y'all talking so I -- I didn't know if you were listening or not.

**CITY MANAGER JONES:** I was asking her if I could make a --

**BOARD MEMBER MILLER-ANDERSON:** Oh, you want to talk after?

**CITY MANAGER JONES:** -- comment when -- when you finish.

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

**CITY MANAGER JONES:** (Inaudible).

**BOARD MEMBER MILLER-ANDERSON:** Okay. Okay. Like I said before, it doesn't just stop with Mr. Aurigemma. He's gone, yes. But he is not going to be the scapegoat. He's not going to be the fall guy. When those checks were cut, Mr. Sherman was aware. Miss Jones was aware. Miss Ryan was aware. Numerous people were aware and this did not ever come to us. And you cannot sit here and act as if it -- it -- it's okay. It's not okay. It is not okay. There are too many things that have occurred till it -- it just seems like we're okay with things just being mediocre. And we're just going to go on and we're going to pretend this never happened. There has to be consequences. There has to be consequences. You know, and I've been -- I certainly have worked with you, Miss Jones, and so it -- it has nothing to do with any of that. It's about what's right and what's wrong and -- and when you do wrong, there's consequences for it. And we have to make sure -- we do it with the other employees.

**AUDIENCE:** That's right.

**BOARD MEMBER MILLER-ANDERSON:** If they do something incorrect, they're going to get a consequence. And if they're not getting a consequence, that's a problem, too.

**AUDIENCE:** Yes.

**BOARD MEMBER MILLER-ANDERSON:** Because you don't want people to think that it's okay to do wrong.

**CHAIR PRO TEM DAVIS:** Uh-huh.

**BOARD MEMBER MILLER-ANDERSON:** And when they do that and get away with it, it continues. And for us to be the leaders of the City, we're sitting here saying now, Hey, guys. It's okay. You cannot do your job but you'll still have your job and you won't get any consequences. And that is not the message we need to send out to our public. There was an egregious act that took place. There were situations that were covered up, whether we want to hear that word or not. It was. It was kept from us. It's not like you just found out on Thursday of last week. You -- none of this came to us until the media reported it. If the media had not reported it, we would have known nothing. We still wouldn't have known nothing. We would have went on. We wouldn't have had any meetings until May 18<sup>th</sup> like we canceled a couple weeks back. It would have been a blip in the wind if they didn't say anything. And then probably maybe three, four months later, all of a sudden, hey, we had this problem in January and February. We're right back where we started before. Constantly trying to play catch-up but as long as no one knows what's going on, we're going to pretend like it's not happening. And I -- I just can't continue with that. I mean, it -- it makes no sense that we keep doing the same thing over and over. And it -- it gets to a point where people feel like you're a part of the establishment when you just act like nothing has taken place. At some point somebody gotta call it out.

**AUDIENCE:** Exactly.

**BOARD MEMBER MILLER-ANDERSON:** And I just won't -- don't want to be on the side of saying, Hey, well, you knew. You know now but what did you do about it? Well, that is why I made my recommendation. Because as a councilperson, I feel that I need to make sure that whoever it is in charge understands that there's a consequence. We -- it's not okay to say, "I don't know." You know? And -- and I don't want to go down the line with the election thing but there was a number of times I've been told, "I don't know. I don't know." Well, you've been doing this job 10, 15, 20 years. You should know.

**AUDIENCE:** Exactly.

**BOARD MEMBER MILLER-ANDERSON:** And if you don't know then we -- somebody need to go.

**AUDIENCE:** Immediately.

**CHAIRPERSON PARDO:** Shh.

**BOARD MEMBER MILLER-ANDERSON:** You know? And so, you know, I -- again, if this is not the venue, we will leave it at that. But I do want it to be very clear that some consequences need to occur. And if I'm in the minority of that, I'm -- I don't -- I don't know what to say.

**CHAIRPERSON PARDO:** Okay.

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

**CHAIRPERSON PARDO:** All right. So Miss Miller, can you just rescind your motion and --

**CHAIR PRO TEM DAVIS:** Rescind the motion.

**BOARD MEMBER MILLER-ANDERSON:** I will rescind my motion for tonight's meeting and put it on for May 18<sup>th</sup>.

**CHAIRPERSON PARDO:** -- we will put it on the May 18<sup>th</sup> agenda.

**CITY MANAGER JONES:** But I need to (inaudible).

**CHAIRPERSON PARDO:** All right. Miss Jones, you wanted to say something? Go ahead, ma'am.

**CITY MANAGER JONES:** Yes. And I do understand what you're saying. I would like for you to consider a -- a meeting earlier than the 18<sup>th</sup> to do that. I want to be present 'cause I want to be here to face it. And I'm scheduled on the out of the country on the 18<sup>th</sup> and so if you can do it when I can be there -- 'cause I don't want it to look like I don't want to be there.

**BOARD MEMBER MILLER-ANDERSON:** So in order to have that meeting we -- we would have to have a Special Meeting called again?

**CHAIRPERSON PARDO:** Correct. A Special Council Meeting.

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

**MAYOR MASTERS:** Okay. Question.

**CHAIRPERSON PARDO:** Mayor?

**MAYOR MASTERS:** Two councilperson can call a Special Council Meeting or the Mayor; is that correct?

**CHAIRPERSON PARDO:** Correct.

**MAYOR MASTERS:** Are there two councilpeople that want to call that Special Meeting?

**BOARD MEMBER MILLER-ANDERSON:** I would like to. I just don't know what date.

**CITY ATTORNEY RYAN:** Well, the council can just do it right now.

**BOARD MEMBER MILLER-ANDERSON:** I just --

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

**MAYOR MASTERS:** I know that. I'm just asking a question.

**CITY ATTORNEY RYAN:** You don't have to wait.

**CHAIRPERSON PARDO:** We could do it right now.

**CITY ATTORNEY RYAN:** You could do it now as a body.

**CHAIRPERSON PARDO:** Right.

**MAYOR MASTERS:** Yeah. That's what I'm asking.

**CHAIRPERSON PARDO:** Right. So get your calendars out.

**BOARD MEMBER MILLER-ANDERSON:** What's today?

**CHAIR PRO TEM DAVIS:** How much notice you need?

**BOARD MEMBER MILLER-ANDERSON:** What, you need 24 hours? What notice -- amount of notice do you -- 24?

**CHAIRPERSON PARDO:** Tomorrow.

**BOARD MEMBER MILLER-ANDERSON:** Miss Ryan?

**CHAIRPERSON PARDO:** Twenty-four.

**BOARD MEMBER MILLER-ANDERSON:** Twenty-four?

**CITY ATTORNEY RYAN:** At least 24. Twenty-four is --

**CITY MANAGER JONES:** At least 24.

**BOARD MEMBER MILLER-ANDERSON:** What date works for everybody?

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

**AUDIENCE:** Tomorrow.

**CHAIRPERSON PARDO:** Yes, Mr. Davis?

**CHAIR PRO TEM DAVIS:** What I'd like to consider, we were supposed to have a meeting the first week in -- in May, which would have been April -- May 4<sup>th</sup>. How about we just go to our normal regular scheduled time, which is next Wednesday?

We would have been here anyway if we never canceled all the meetings.

**UNIDENTIFIED SPEAKER:** The last two.

**BOARD MEMBER MILLER-ANDERSON:** The May 4<sup>th</sup> one?

**CHAIR PRO TEM DAVIS:** May 4<sup>th</sup>, which is next Wednesday.

**BOARD MEMBER MILLER-ANDERSON:** Is something wrong with that, Miss Ryan?

**CITY ATTORNEY RYAN:** Well, because we canceled it I had made other plans but --

**BOARD MEMBER MILLER-ANDERSON:** Oh, okay.

**CITY ATTORNEY RYAN:** -- (inaudible).

**BOARD MEMBER MILLER-ANDERSON:** We -- we need you to be here, though.

**CITY ATTORNEY RYAN:** I work for the City. I can cancel it. You know? I -- thank you, Mr. Willis Williams, for that. But you know, we --

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

**CITY ATTORNEY RYAN:** -- we --

**BOARD MEMBER MILLER-ANDERSON:** So does that work for the rest of the council people? The 4<sup>th</sup>?

**CHAIRPERSON PARDO:** Is that okay with everyone?

**UNIDENTIFIED SPEAKER:** Yeah, May 4<sup>th</sup>.

**BOARD MEMBER MILLER-ANDERSON:** Does that date work for you?

**CHAIRPERSON PARDO:** Okay. So May 4<sup>th</sup> at 5:30. And that will be on the agenda, the city manager's --

**BOARD MEMBER MILLER-ANDERSON:** Okay. May 4.

**CHAIRPERSON PARDO:** -- a discussion about city manager's --

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

**CHAIRPERSON PARDO:** -- employment. All right. May 4<sup>th</sup>. All right. So you guys will put the notice out?

**CITY MANAGER JONES:** You got it.

**CHAIRPERSON PARDO:** All right. Anyone else?

**BOARD MEMBER GUYTON:** Yes, Mr. Chairman.

**CHAIRPERSON PARDO:** Yes, go ahead, Mr. Guyton. I'm -- I'm sitting here looking -- listening to us talk about all these special meetings. It was completely, in my opinion, irresponsible to cancel all of the meetings during an election knowing that we had city business to take care of. This is a multi-million dollar operation that we are running. And because of politics, the decision was made, we'll just not do any of the city business until the election in an effort to help my opponent. That's completely irresponsible. That's my opinion.

**AUDIENCE:** Oh, (inaudible).

**CHAIRPERSON PARDO:** All right. Where's our officer?

**BOARD MEMBER GUYTON:** And -- and now we're sitting here scheduling special meeting after special meeting after special meeting after special meeting. That's ridiculous. We should continue to do the city business as we did before. You know, all of the politics being interjected and, no, we don't want him to sit up there and sit - - we have a -- a bigger responsibility to the people of the city than we do to the candidate that we're supporting. Now we're having a series of special meeting, special meeting, special meetings. That's irresponsible, in my opinion.

**AUDIENCE:** Yes.

**BOARD MEMBER GUYTON:** The other thing is that there was a comment made that I blamed the residents for the water quality issues. Now, how they took my comments and tried to spin it like that, I don't know. But let me just make it clear, I have never blamed the residents for this water quality. They had absolutely nothing to do with this. They are a victim as everyone else is. There was a discussion about the different components of how the water is traveling through the system and what may impact the water that is traveling. We were talking about public infrastructure and homeowner infrastructure. That's the only thing that was being discussed about the total picture of how water travels. That's it. Because of the politics, now Bruce is blaming the residents.

That's absolutely ridiculous. That is not the case and I said nothing of the kind. We were talking about how water travels and what may impact it. I do not condone any -- any violence on my campaign. I have not heard the other side of the story so I -- I wish to hear that before any -- any position is taken. But I certainly can win this election without any violence being interjected against any of the opponents. This is -- this is -- this is -- that -- that would be not necessary. I'm not -- still not sure what happened. But people come to the mike and try to make me seem complicit. Anything that happens, it's Bruce' fault. It's got to be.

**AUDIENCE:** Those words never came out of my mouth.

**BOARD MEMBER GUYTON:** So --

**CHAIRPERSON PARDO:** All right, ma'am, please.

**BOARD MEMBER GUYTON:** -- so -- but Bruce Guyton name is always called.



People come to the mike, Bruce Guyton, Bruce Guyton, Bruce Guyton. We know it's politics. I know it's politics. The people looking at it know it's politics. But Bruce can't be blamed for everything. There's a person said something tonight that a lot of people have been saying that I -- I rarely say. Bruce, you help a lot of people and you never say anything. And I do because I don't do it for the accolades. I don't do it for the atta-boys. I do it because I love my community. I don't need to make a grand stand every time somebody call my office with a problem and I drop what I'm doing to help them. There are a lot of people that thank me every day for the work that I do quietly. And I will continue to do it that way. My gratification is to know that I'm serving the community that I love. I'm here because the people put me here and when the people are ready for me to go, I will leave. The people vote me out fairly, I'm gone. And I appreciate the -- the -- the time that the people gave me to serve. But I'm not going to sit here and continue that every time somebody attack me, Bruce, just shut up.

Don't -- let them say that. No. No. No. No. No. No. I work too hard to serve this community to let people always attack me and attack me and attack me. So when somebody says something that's not accurate, I'm going to give them some accurate information. That's all I'm going to do. The last thing that I would like to say is that we as a community have come a long ways in the last three, four years. A long way. From people not being interesting to people almost knocking down the door to come into our city and do business. That had a lot to do with stability in our community. Now they see the volatility occurring. This wave of, Let's get rid of a lot of people and let's bring in different people and that impacts progress. Like it or not it does. People, when they're investing money, look for stability. Good, bad or indifferent, that's what I hear. When we start making a lot of changes, people get nervous about investing because they don't know who they're going to be dealing with. Not necessarily the people that's coming in are bad. It's just that they don't know them.

So I would hope that we as a board understand that all the progress that we made in the last two or three years can be rolled back instantaneously when we start making too many changes at once. Some people don't want to hear that. But in government, stability is important. Not just in staff but on this dais, too. Because as long as they know who they're dealing with and what the concerns are, they work with them. But instead the frequent turnover, they don't know what to expect. So I'm here to serve the people. I'm going to serve them until they vote me out fairly. And I am very, very honored for the time that the people have given me. I feel I had something to contribute to this council. Some people think I have contributed to the progress.

**CHAIRPERSON PARDO:** Right.

**BOARD MEMBER GUYTON:** And so now I'm -- I'm -- I'm prepared for whatever --

**CHAIRPERSON PARDO:** Okay.

**BOARD MEMBER GUYTON:** -- my next move may be.

**AUDIENCE:** Yes.

**BOARD MEMBER GUYTON:** So --

**CHAIRPERSON PARDO:** Okay.

**BOARD MEMBER GUYTON:** -- Madam Chair, thank you but it's my hope that we can keep some stability and keep this city moving forward.

**CHAIRPERSON PARDO:** Okay. Thank you.

**BOARD MEMBER GUYTON:** Thank you.

**CHAIRPERSON PARDO:** Anyone else?

**MAYOR MASTERS:** Yes.

**CHAIRPERSON PARDO:** Ten after 9. Mayor?

**BOARD MEMBER DAVIS JOHNSON:** Madam Chair?

**MAYOR MASTERS:** Yes. Thank you.

**CHAIRPERSON PARDO:** Go ahead.

**MAYOR MASTERS:** If that wasn't a campaign speech I've never heard one.

**BOARD MEMBER GUYTON:** Everybody else coming to the mike can talk.

**MAYOR MASTERS:** Okay. I'm -- I'm just -- I didn't say any of your comments.

**BOARD MEMBER GUYTON:** (Inaudible) they can come here (inaudible).

**MAYOR MASTERS:** And let me properly -- properly inform Mr. Guyton. As far as canceling the meetings, it was the Chair's suggestion, who supports you, in my -- in my opinion. And it was Tonya Davis Johnson, I think, who made the motion who is not on record of supporting either candidates. So for Mr. Guyton to say that the people that was involved in making that decision was the effort to help his opponent is just certainly not -- not way I saw it. And for Mr. Guyton to talk about there doesn't need to be a change, this, that and the other, I -- I support what Sam Cook said: "It's been a long time coming but a change is needed." And I'm paraphrasing. And I support that. And it leads me to say that there's been a lot of fear tactics in these -- this most recent -- most recent campaign. People are saying things like, "If this candidate is a -- is elected, it's going to take the City back. It's -- it's going to be this and that." Come on, people. Get the facts. You know? Developers are not going to be taking over the City. All these different things that I'm hearing. Ask the candidate. Judge Rodgers, who, a man that I trust and high integrity, would not be supporting Mr. Guyton's opponent if he didn't feel that his opponent was a woman --

**CHAIRPERSON PARDO:** All right. Mayor, with all due respect.

**MAYOR MASTERS:** Well, you didn't stop --

**CHAIRPERSON PARDO:** With all due respect.

**MAYOR MASTERS:** Okay. Well, I'll move on. But you didn't stop Mr. Guyton and it was clear it was political. Well, I support change and I support change in that seat. And let me move on. I'm holding an absentee ballot. This is my ballot, is for me. I want to talk about this because there are people who have thrown away their ballots because they didn't realize it was an absentee ballot. They just thought it was junk mail. This is what it's -- what it looks like. Okay? Number one. Number two, no one, husband or wife -- no one can sign this ballot but the voter. If anyone else signs this ballot who is not the voter, then it's invalidated. Please do not sign anyone else's ballot. Second point I need to make is you have the right to vote. People died for the right to vote. Please vote your conviction and your conscience, not what you read, this, that and the other, all these mailers. A lot of it's just garbage and what we call political propaganda.

**CITY ATTORNEY RYAN:** Mr. Mayor? And I'm just going to make the comment. It's a general comment. This is a Utilities -- a Special Utility District meeting.

**AUDIENCE:** Thank you.

**CHAIRPERSON PARDO:** (Inaudible).

**CITY ATTORNEY RYAN:** And it's a special meeting on a specific subject.

**CHAIRPERSON PARDO:** Not on the election.

**CITY ATTORNEY RYAN:** And if you're talking about water issues it's fine, but the comments from Mayor and council were supposed to be about the special meeting. It's not a general meeting. And I'm start together get a little bit uncomfortable that we're getting away from Utility District issues. We need to be talking about Utility District issues.

**MAYOR MASTERS:** Okay.

**CITY ATTORNEY RYAN:** Those are my comments. I'm done.

**MAYOR MASTERS:** As I was saying --

**CITY ATTORNEY RYAN:** Go ahead.

**MAYOR MASTERS:** -- six days before the election this -- you do -- you cannot order the ballot. You do have up to six days. I'm just informing the public what I think. If you have a ballot, please send it in or anyone can pick it up. And I'll be happy to do it, 247-2713. Give me a call. Thank you.

**CHAIRPERSON PARDO:** All right. Anyone else?

**BOARD MEMBER MILLER-ANDERSON:** I just wanted to ask about Mr. Perry, just one quick question: What -- what are the qualifications does Mr. Perry have in

going into that position to oversee the Utility District?

**CITY MANAGER JONES:** Mr. Perry is an administrator that is certified by the National Forum for Black Administrators as an administrator.

**BOARD MEMBER MILLER-ANDERSON:** Uh-huh.

**CITY MANAGER JONES:** He was a former Fire chief, a lifelong resident of the City of Riviera Beach and he is an excellent administrator.

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

**CITY MANAGER JONES:** He's not going in for technical stuff. He's going in just to keep things moving. You've got administrative things that need to take place that are not technical.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So who -- who's -- Mr. Giles is going to fill the void for Mr. Aurigemma on -- in -- in terms of what his role was?

**AUDIENCE:** Who now?

**BOARD MEMBER MILLER-ANDERSON:** Who -- who's going to fill in that since Mr. Perry doesn't have the same qualifications as Mr. Aurigemma did?

**CITY MANAGER JONES:** You have two capable superintendents on both sides.

**BOARD MEMBER MILLER-ANDERSON:** And that's who?

**CITY MANAGER JONES:** That --

**BOARD MEMBER MILLER-ANDERSON:** Who are they?

**CITY MANAGER JONES:** -- they are Mr. Danford and Mr. Davis.

**MAYOR MASTERS:** Are they here tonight?

**CITY MANAGER JONES:** Yes.

**MAYOR MASTERS:** Have them stand up. I want to see them. Who are they? Stand up.

**CITY MANAGER JONES:** Stand up, both of you.

**MAYOR MASTERS:** Let the public see you. Sunshine.

**CITY MANAGER JONES:** Riviera Beach residents and they're the superintendents over the two areas that would report up through Mr. Giles.

**BOARD MEMBER MILLER-ANDERSON:** Okay. So basically Mr. Giles is going to step up to Mr. Aurigemma's spot temporarily?

**CITY MANAGER JONES:** Temporarily.

**BOARD MEMBER MILLER-ANDERSON:** He would be like an interim?

**CITY MANAGER JONES:** It's on interim because, remember, we talked about getting someone else to come in in order to actually be in that capacity. And we got suggestions tonight of names.

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

**CHAIRPERSON PARDO:** All right. Anyone else? All right.

**CHAIR PRO TEM DAVIS:** Yes.

**CHAIRPERSON PARDO:** Go ahead, sir.

**CHAIR PRO TEM DAVIS:** Thank you. I'll be real brief. I just want to say thank you to those who came out tonight to hear the concerns, what staff has put before us, as well as this board to try to do the right thing in this community. Those that could not be here, we wish you could. I've been hearing some different things across the City as in regards to the City, way it could be. People, I don't use and have never used this position to -- to dictate which way a person should vote. But what I will say is that the people that have been placed in here, and I must admit Tonya Davis Johnson and Miss KaShamba Miller Anderson, I must congratulate you. You have demonstrated a sense of leadership just the way you've been able to articulate your questions and work together on this board today. And I don't want no one to make people think that a certain group of people dictates negativity where this City can go. This City's a team.

Anyone that talk outside our team need to reconsider their vision for this City and open up their hearts and mind to the right thing, which is the people. If someone calls your house and they're not talking about the people and they're using scare tactics, I advise you to question them, "What are you doing for the City?" And I'm -- I hope everybody will be safe going home. As you know, we do have a meeting next Wednesday. This will be a very professional meeting based on the information. And everyone else have a good night. Oh, I want to say to Suncoast Robotics Program, congratulations. They're in the national championships. They -- I think they leave tomorrow so Suncoast High School, which is a school in Riviera Beach --

**MAYOR MASTERS:** Congratulations.

**CHAIR PRO TEM DAVIS:** -- have made the national robotics team -- Robotics championship and represent our city. Thank you.

**CHAIRPERSON PARDO:** Anyone else?

**MAYOR MASTERS:** The -- the water that I was drinking is not filtered.

## **X. ADJOURNMENT**

**CHAIRPERSON PARDO:** All right. We are adjourned. Thank you, everyone.

**The meeting was duly adjourned at 9:19 p.m.**

**(CONCLUSION OF SPECIAL UTILITY DISTRICT MEETING)**

**APPROVED:**

\_\_\_\_\_  
**THOMAS A. MASTERS**  
**MAYOR**

\_\_\_\_\_  
**TERENCE D. DAVIS**  
**CHAIRPERSON**

**ATTEST:**

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

\_\_\_\_\_  
**KaSHAMBA L. MILLER-ANDERSON**  
**CHAIR PRO TEM**

\_\_\_\_\_  
**LYNNE L. HUBBARD**  
**BOARD MEMBER**

\_\_\_\_\_  
**TONYA DAVIS JOHNSON**  
**BOARD MEMBER**

\_\_\_\_\_  
**DAWN S. PARDO**  
**BOARD MEMBER**

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

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

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

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

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

**D. PARDO** \_\_\_\_\_

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

**DATE APPROVED:** \_\_\_\_\_