

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
SPECIAL UTILITY SPECIAL DISTRICT BOARD MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, JANUARY 20, 2015 AT 5:00 P.M.

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

CITY CLERK CALLS TO ORDER

CHAIRPERSON DAVIS: Good afternoon, everyone. Welcome to a regularly -- no. Is this our regular --

DISTRICT ATTORNEY RYAN: No.

BOARD MEMBER THOMAS: It's --

CHAIRPERSON DAVIS: -- special Utility District meeting. Would you please turn your cell phones to the off or vibrate positions and Madam Clerk, please call the roll.

Roll Call

INTERIM DISTRICT CLERK ANTHONY: Chairperson Judy Davis.

CHAIRPERSON DAVIS: Here.

INTERIM DISTRICT CLERK ANTHONY: Chair Pro Tem Dawn Pardo. Board Member Cedric Thomas.

BOARD MEMBER THOMAS: Here.

INTERIM DISTRICT CLERK ANTHONY: Board Member Bruce Guyton.

BOARD MEMBER GUYTON: Here.

INTERIM DISTRICT CLERK ANTHONY: Board Member Terence Davis.

BOARD MEMBER T. DAVIS: Here.

INTERIM DISTRICT CLERK ANTHONY: City Manager Ruth Jones.

CITY MANAGER JONES: Present.

INTERIM DISTRICT CLERK ANTHONY: Executive Director Louis Aurigemma.

UTILITY EXECUTIVE DIRECTOR AURIGEMMA: Here.

INTERIM DISTRICT CLERK ANTHONY: Interim District Clerk Claudene Anthony is present. District Attorney Pamala Ryan.

DISTRICT ATTORNEY RYAN: Present.

INTERIM DISTRICT CLERK ANTHONY: District Finance Director Randy Sherman.

FINANCE DIRECTOR SHERMAN: Here.

CHAIRPERSON DAVIS: Okay.

Invocation

Pledge of Allegiance

CHAIRPERSON DAVIS: Let's all stand for a moment of silence and the Pledge led by Miss Ryan. (Everyone stood for a moment of silence and the Pledge of Allegiance led by District Attorney Ryan).

AGENDA Approval

Additions, Deletions, Substitutions

CHAIRPERSON DAVIS: All right. Okay. Mrs. Jones, are there any additions, deletions or substitutions?

CITY MANAGER JONES: No, Madam Chair.

CHAIRPERSON DAVIS: Okay. I think at this time we're going to go ahead and -- and approve the agenda (inaudible).

BOARD MEMBER THOMAS: Yes. Madam Chair. If at all possible, I'm going to ask that we table this particular meeting till another time. Reason being, I've attempted to reach out to our landlords that we have that are registered. And because of the large amount -- it's over 2,000 -- hadn't been able to get to all of them. So we cancelled the meeting for earlier today and we've rescheduled it for Thursday just to get information and feedback from them. No. I'm saying we cancelled the --

CHAIRPERSON DAVIS: Oh, the meeting with them.

BOARD MEMBER THOMAS: -- meeting that we're going to --

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER THOMAS: -- we can redo this meeting at any time that you -- you would like.

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER THOMAS: But I'm just giving notice of when we -- we cancelled the meeting until -- which was -- which is Thursday at 10 a.m. just to get their feedback, understand about some questions back and forth. So I really won't have much to add to this discussion and I was just wondering if we could wait until after that time as I've been able to gather some data and ascertain some information so we can have a better discussion.

CHAIRPERSON DAVIS: Okay. Is there -- is that a motion?

BOARD MEMBER THOMAS: Yes.

CHAIRPERSON DAVIS: Is there a second? Is there a second to table? I'll pass the gavel. Well, who am I going to pass it to?

BOARD MEMBER THOMAS: You can pass it to me. I'll take it.

CHAIRPERSON DAVIS: To you -- my right. I'll second.

BOARD MEMBER THOMAS: Okay. It's been properly moved and second. Any additional questions or concerns?

BOARD MEMBER T. DAVIS: Yes.

BOARD MEMBER THOMAS: Mr. Davis.

BOARD MEMBER T. DAVIS: Thank you. The issue is we have some residents and some property owners who've been very active through this process and been waiting since -- over the last two or three months -- and been very active. I've been reaching out to quite a few of the same people that you've been doing and some of them (inaudible) respond and some of them haven't been due to their scheduling. We can definitely make a decision on this and have discussion about this tonight and then invite them back to bring this item back up and let them know what we did in this particular meeting. And we can -- there's no reason we can't bring this item back later. But I don't think it's fair to those who's been involved in the process for those last two months and been coming in their busy schedules to try and get some things resolved. Because everyone that we've spoken to, the -- the common issue has been really the Social Security number and that's the matter that we're here to kind of -- to address tonight.

BOARD MEMBER THOMAS: Okay. Are there any other questions or concerns? Madam Chair, just so you under -- oh, oh. Well, I'm the Chair right now. Basically, we are only dealing with, you know, a handful of individuals, and I thought that it would be more prudent to allow everybody to have an opportunity to at least discuss. This is not a slight to anybody who's there. We've reached out to some of the people who actually sitting in the audience to -- to, you know -- to try to make sure that we have more

individuals. It's no sense of just dealing with one issue when there could be several others. So that was my reasoning for it.

But if that's the case, if there's no other questions or concerns, we'll call the question.

INTERIM DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: No.

INTERIM DISTRICT CLERK ANTHONY: Board Member T. Davis?

BOARD MEMBER T. DAVIS: No.

INTERIM DISTRICT CLERK ANTHONY: Board Member C. Thomas?

BOARD MEMBER THOMAS: Yes.

INTERIM DISTRICT CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

INTERIM DISTRICT CLERK ANTHONY: That motion fails with Council -- Board Members Guyton and T. Davis dissenting.

CHAIRPERSON DAVIS: (Inaudible).

BOARD MEMBER THOMAS: Needed to ask.

CHAIRPERSON DAVIS: Okay. We are now going to -- hold on -- okay. These are yours, these next --

INTERIM DISTRICT CLERK ANTHONY: (Inaudible).

CHAIRPERSON DAVIS: Okay. So we're now down to discussion by the Executive Director.

Adoption of Agenda

CONSENT AGENDA

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

END OF CONSENT AGENDA

COMMENTS FROM THE PUBLIC- 5:15 p.m. - Non Agenda or Consent Item Speakers (Three Minute Limitation) Public Comment should be restricted to issues, matters, or topics pertinent to the City of Riviera Beach Utility District. Please be reminded that the Utility District Board has adopted a set of Rules of Decorum Governing Public Conduct During Official Meetings, which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the District Board Chairperson may have any disruptive speaker removed from the podium from the meeting and/or the building, if necessary. Please govern yourselves accordingly. In addition, if an item is being considered at 5:15 p.m., then comments from the public shall begin immediately after the item has been concluded.

REGULAR AGENDA

END OF REGULAR AGENDA

DISCUSSION BY THE EXECUTIVE DIRECTOR OF UTILITIES

NONE

DISCUSSION AND RECOMMENDATIONS BY DISTRICT BOARD

1. UTILITY DISTRICT POLICY DISCUSSION

CITY MANAGER JONES: If I may -- Madam Chair?

CHAIRPERSON DAVIS: Yes, Miss Jones.

CITY MANAGER JONES: The only item that we have on the agenda tonight is under discussion and deliberations and it is the Utility District Policy. Back in December, the -- there were several landlords that spoke at a couple of meetings expressing their displeasure with having to -- first of all, the landlord having to be responsible for the water and then for, if, when they came in, having to give their Social Security number.

What we are ready to do now and are available to do is to go over information as to how we got to this point and then deal with those two major issues or see if there are other issues that have been identified that we can include. This policy was approved in 2013, but like with any policy, as you work with it, you realize there are some things you might need to tighten up on.

CHAIRPERSON DAVIS: Uh-huh.

CITY MANAGER JONES: So I would like to ask Randy Sherman to come forward and to give you an overview and then we will entertain any questions and comments that you might have.

CHAIRPERSON DAVIS: Mr. Sherman?

FINANCE DIRECTOR SHERMAN: Yes. Good evening. Randy Sherman, Utility Special District Finance Director. I have -- I do have a presentation. I dealt mainly with the rental property issues and tenant-landlord, so I really didn't address the Social Security number issue. But that is easily resolved. We -- gotta get used to the new mics -- we -- we do ask for Social Security number.

We're required to get positive identification from our customers. Okay? Because if you think about it, we are offering credit. Okay? So we are required to get positive ID. We ask for Social Security number. We do accept license numbers; we also accept passports, which is quite common if we get someone, you know, possibly from Canada or -- or wherever. You know, we've talked about this. That's easily fixable. We can put on the form give us this, this or this, and then it would be their option. That's not a problem and -- and we can take care of that.

But again, part of the issue, and I know that the concern is not necessarily giving it to us when they open their account, but when they have a tenant account and they don't want the tenant to see the Social Security number. Fully understood. One thing that does do, though, and again to have some type of identifying number, is to make sure that the tenant agreements are not forged. 'Cause, again, we do have people come in and say, "Oh, see? My landlord signed this." Go back to the landlord or the property owner and they really haven't. So we -- we do need to have that check. But again, that -- that is easily fixable.

I did just kind of want to give a -- a little background initially. Kind of give you -- you know, when I got here in 2012, it's -- the situation that I was actually, you know, faced with -- I have updated these numbers to today. But let me just walk through them real quick. Currently, right now, our total outstanding delinquencies equal 17 percent of one year's total income for the Utility District, okay? We have in excess of 5,000 delinquent accounts that owe the City or owe the District \$3.9 million.

Now just to put that into perspective -- I'm sure last year you heard all of the hullabaloo about the City of Detroit and their \$30 million of outstanding. Well, our population is one-twentieth the size of Detroit, yet our receivables are one eighth of what Detroit has outstanding. So just to show you the magnitude how in this particular situation, we're really not even doing as well as the City of Detroit is.

Twenty percent of our accounts pay late every month. Okay? So we give them a certain number of days to pay. Twenty percent missed that date. Prior to 2014, our uncollected water revenues average between 250, \$300,000 a year. That was an average. So every year that passed, we were another 300,000, \$250,000 behind.

In 2012, we had 13,880 work orders. Over 8,700 of them were due to delinquencies. And that does not even count when we send out the crew to do turn-offs because they actually work off a list and not off a work order. Okay? So 63 percent of our work orders were actually dealing with delinquencies.

Currently we have -- and I looked this up for last Thursday's meeting for Mr. Guyton in case he asked me at the meeting -- we had 920 properties that have water liens on them. So seven percent of our customers actually have a lien on their property. We have 3,030 business licenses for rental property; 5,836 rental units, which represents 55 percent of all of our residential customers.

CHAIRPERSON DAVIS: Can I -- can I ask you a question?

FINANCE DIRECTOR SHERMAN: Sure.

CHAIRPERSON DAVIS: How many water customers do we have?

FINANCE DIRECTOR SHERMAN: We have about 13,500; 10,700 are residential. The rest are -- are commercial accounts. And as you know, we cannot lien property if it is the tenant that is delinquent.

Looking back at 2012 and 2013. In 2012, we billed just over \$10 million; we collected just under \$9.8 million or a collection rate of 97.7 percent. And as I said, we issued 13,880 work orders. In 2013, we issued -- billed 10,000 -- 10.8 million, sorry, collected 10.2 and our collection rate was 94.3 percent and our work orders actually went up to just over 14,000. Now, if you remember, that was the year that we had all the issue about plug meters and we were telling the customers, "Don't pay, and, you know, we'll deal with it." And that's what that was really a result of.

So based on what we saw on those first couple of slides, we need to get a policy in place to help deal with these financial issues. As we were doing that, the City Attorney's office actually provided us with some case law. Jass Properties came out in November of 2012, so it was actually timely. As Miss Jones said, we adopted the policy in June of 2013. And what the court came out and said is -- or Florida Statutes do not expressly prohibit a municipality from declining to contract with tenants for utility service and restricting utility service agreements to the property owner. Okay? So that was the court ruling that came out right before we adopted our policy.

CHAIRPERSON DAVIS: And when -- when did we adopt that?

FINANCE DIRECTOR SHERMAN: We adopted the policy in June of '13.

CHAIRPERSON DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: This court case came out in -- in November of '12. And I think it's critical to consider what -- this is not one court. This is actually two courts

'cause this was actually under an appeal. And the District Court of Appeals said nothing in the statute mandates that tenants have the ability to contract directly with a municipality for service.

And we agree with the observation of the Circuit Court. What the Circuit Court said was "By requiring landlords to actively manage their private business interests, the City avoids the burden of dealing with perhaps hundreds or thousands of individual tenants who might be behind in their bills. We see nothing in the statute that prevents the City from enacting an ordinance," or in our case it would be a policy, "designed to constrain costs that might otherwise be borne by the taxpayers."

So this is -- as this came out, this was provided to us by the City Attorney's office. So we immediately said, Okay, what can we do -- what can we put in the policy? What we found was in Jupiter, Jupiter says, "An application for water service may only be made by the legal owner of the property seeking water service" -- "only" the property owner. And in May of 2013, this is what we brought forward as part of the policy.

After much discussion, and a second meeting, went back and we tried to tamper this down a bit and we ended up here. This is what is in the current policy and it says in essence, "The account shall be in the name of the owner or the owner's designee." This is the same language and where we found it was down in Broward County. And this is the way Broward County functions. What the -- what Broward County found is they originally went with property owners' name. And they said as soon as a building manager or a property manager came in to open an account, they couldn't open the account because it had to be with the -- so they went to this to actually make it more functional.

So what this does is it allows the owner to come in and say, Yes, I know I'm responsible for it but I would like to put it in my property manager's name or I'd like to put it in my tenant's name. And that's what we've been functioning on since June of '13.

What the result of this was -- and these first two lines are the same two lines that we talked about earlier -- but now look at the affect that we see in 2014. We actually billed \$11.4 million. We collected \$11.7 million. So we actually collected more than we billed in 2014, 'cause again, we're working to collect those old receivables. And our work orders actually dropped below 12,000. Again, if I don't have all the turn-offs, turn-ons, you know, delinquencies, it actually, you know, eliminated over 2,000 work orders.

We also have to keep in mind the bond rating. Okay? You know, Mr. Aurigemma and I, when we did the refunding, we worked real hard to get this A+ bond rating. They had concerns about unemployment. They had concerns about income levels. And what we fought back with were two issues: we said, one, we have our rates adopted through 2019, so we don't have to worry about revenues going forward. And we have this policy in place that is helping us, and we had the 2014 data to support it, that is helping us bring in the revenues in order to pay the bonds back.

And both of these comments are dealing with the fact that we have willingness and the ability to put policies in place to help us collect those revenues. So based on that, and I understand, you know, the issues of the landlord. I also understand the issues of the tenant. 'Cause keep in mind, there's actually three parties that are involved here. We came up with a few ideas on some things that maybe we could put in place, you know, after discussion here, that could, again, reduce the amount of delinquencies, help us help the tenants and help the landlords. Number one, is we already addressed, you know, we're going to get the driver's license on all our forms, so, again, you know, as you mentioned, Councilman Davis.

Down to number two. We could increase the deposits. Now, keep in mind, if 20 percent of our -- our customers are delinquent, that means 80 percent of them are on time. You increase the deposits -- and we looked at American Water Works Association. They said what tends to happen is the 80 percent get upset and the 20 percent still aren't paying. You know, it -- it doesn't necessarily help it. So -- but that's an option. We could do it just on tenants if we wanted to do that and not make it on everybody, but we could increase the deposits.

We could perform credit checks. Some -- some water utilities actually perform credit checks and -- and create the deposit levels based on what their credit scores are. Again, very administrative, you know, a lot of administrative work. I'm sure there would be costs involved in -- in trying to do that. So again, increasing the deposits probably wouldn't work.

We could go with quicker turn-offs of the delinquencies. What we do now is we do not do any turn-offs until you receive a bill that has a past due balance. So by the time that bill goes out, you're already well into the third month and that's how these balances get so high, especially, you know, where the deposit is only equal to two or three months of normal usage, you're already behind. But quicker turn-offs, I think, certainly -- certainly is an option. I think it would help. We probably would have to, real quick, fill our vacancy that we have in the Customer Service group to make sure we've got six guys out in the field. But that, I think, is -- is certainly an option.

One that I'm sure nobody wants is we could actually add bad debt component to our rate. You know, you can rate, you know, say, Hey, you know what? We'll accept 95 percent collection rates, but we're going to raise our rates five percent and, in essence, we've collected a hundred. I don't think anybody wants to go there.

We could eliminate the payment plans 'cause again, what happens is is once somebody gets behind, they come in and they say, you know, Please give me a payment plan. And what that does is it just extends the problem to -- to further months and they just actually end up getting further behind which is what, again, makes the -- the outstanding amounts more than what the deposit is at the end of the day.

We could change the late fee to a percentage rather than the flat \$10. Right now, when you have a \$300 bill or a \$500 bill or we see some commercials that are thousand dollar

bills, a \$10 late payment means nothing to them. I looked at, like, what FPL does. They do one and a half percent or \$10, whichever is, you know, higher.

We could provide for a one-time tenant option. What this is -- and then switch to the property owner if the tenant doesn't behave themselves. This is what we'll call the -- the St. Lucie model. What they do is they allow the tenant to be the customer and as long as the tenant is on time in paying all their bills, they're cool with that. When the tenant starts running behind and there's delinquencies and they -- they stick the County with the bill, then they go to the property owner, they go, No more. You know, now you're responsible for it. So it kind of is a hybrid there. You know, again, it's a lot of administration, you know, 'cause, again, you're in turning on, turning off, switching accounts around.

We could convert to the smart meters -- the smart meter technology. You know, the technology we use today is 10, 12 years old at this point. As you know, again, FPL went to all the smart meters. They can see your consumption on an hourly basis. They know if you're tampering with the meter. They can turn it on or off remotely. They know what your deposit is and, you know, everything is just clicking. And we wouldn't have to rely so heavily on the field personnel. There's obviously --

CHAIRPERSON DAVIS: There's a cost associated with that, right?

FINANCE DIRECTOR SHERMAN: There would be a cost associated with that, but then you would also have no plug meters anymore. These meters can't plug. They're all digital.

CHAIRPERSON DAVIS: And they're accurate.

FINANCE DIRECTOR SHERMAN: And they -- and they've -- accurate. And they have 30-year batteries, you know? So --

CHAIRPERSON DAVIS: Do you know what the cost is at this point?

FINANCE DIRECTOR SHERMAN: They told us for a residential account, it was -- probably be between 3 and \$400 per account. But, again, we could go through and just -- you know, as we're changing over meters now, we could just change the -- the technology and -- and go with that.

One of the good things about the meters that -- that was really appealing, they said as soon as they get dry on the inside, an alarm goes off. Now again, this is an alarm on our -- our desktop. So it would, theoretically, eliminate all the tampering or at least you'd know that tampering was taking place right -- right -- real time.

The tenth item up there, and this is actually -- Councilman Guyton actually said something, I think, during the budget process last year about adding a component of the bill to the tax bill. You know, taking it off the utility bill, putting it on the tax bill. We could

actually do that for the readiness stand-by charge, the storm water and the trash charges. And then all we would be billing from the utility side is just the usage, you know, just the consumption. So, again, the property owner would be responsible for the fixed cost and the tenant in this case would be responsible for the variable cost. And that would actually take the bill down to -- you know, an average 4,000 gallons is only about, what, 10, 12 bucks. I mean, it's -- it's just not a lot of money.

So those are the options that -- that we -- we tossed out, you know, kind of figured out. Some of them, you know, are more appealing. I think number eight might be almost the best middle ground. Say, Here you go. We -- we'll accept your tenant, you know, but as soon as one of your tenants, you know, misbehaves, understand, you know, it's back on you.

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: Mr. Davis.

BOARD MEMBER T. DAVIS: Mr. Sherman, I'm glad you made that statement. When the residents were -- they came before to sit down and discuss with staff about this was one of the options, number eight, that came out.

FINANCE DIRECTOR SHERMAN: Was it? Okay.

BOARD MEMBER T. DAVIS: And what they were stating, they have no problem. The issue was when the Social Security numbers are being required and they had the bearing of that. But that agreement is with the tenant and the City.

What they're saying is if they want to -- they want to get a payment plan, that's when the agreement come into play for the landlord to be required to provide a Social Security number 'cause you're saying, I want my tenant on the payment plan. I know they're behind. That's when we should say, Hey, this is when we want that landlord to provide us with a Social Security number 'cause now we're saying you're stepping in, you're taking responsibility.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER T. DAVIS: And that's when the -- the play comes in for the Social Security number. 'Cause other landlords shouldn't all be -- have to take that punishment for something because if they can handle their business --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER T. DAVIS: -- why should they be punished in this particular situation --

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER T. DAVIS: -- with the high -- high sensitivity with the Social Security number flying out there. But if you have a tenant that's not necessarily doing well and they may be getting hours cut back on work and get behind in a late bill, you want to keep the water on, it's okay. Well -- and this time, then you come sign an agreement, stating that you're willing to take on that responsibility. And then I think that's going to come into play again, what you brought up, item number 10. Can you explain that a little bit more to me?

FINANCE DIRECTOR SHERMAN: Item number 10?

BOARD MEMBER T. DAVIS: (Inaudible).

FINANCE DIRECTOR SHERMAN: Well, what we would do is we would take the fixed charges that are currently on the bill --

BOARD MEMBER T. DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: -- and we would make that a special assessment and put it on your property -- and put it on the property tax bill.

BOARD MEMBER T. DAVIS: Okay. And that would have been -- then go back to the property owner.

FINANCE DIRECTOR SHERMAN: And then that goes to the property owner.

BOARD MEMBER T. DAVIS: Okay. I like that.

CHAIRPERSON DAVIS: That would make (inaudible).

BOARD MEMBER GUYTON: Madam Chair.

CHAIRPERSON DAVIS: Mr. Guyton.

BOARD MEMBER GUYTON: I would be interested to hear from the landowners and then make my comments.

CHAIRPERSON DAVIS: Okay. I have two public comment cards. We've already started discussing this, so I'm -- I'm going to -- one time -- bring them up. Would you bring those up, please? Okay. First up is Reverend Burrs.

BOARD MEMBER T. DAVIS: There you go.

REVEREND WILLIAM BURRS: Madam Chair, Council, Madam City Manager. We would like to take the time to thank the City Manager for meeting with us some time ago, about a month -- a month or so ago concerning this issue. And -- and I think -- and I think most of you guys are here today was under the impression that this -- this was a

workshop trying to work out some of the issues concerning this entity, and we thank the Council for trying to get this dissolved. And our -- but our concern is more than just a Social Security number on this issue.

We don't -- if it was -- we actually -- and this can be easily done. Hopefully, that -- it can be worked out on this -- during this workshop with Councilman Thomas says he's going to have one come Thursday. And I hope we could do some more discussing on this issue because three minutes ain't enough time for us to come up and -- and -- and express our real concern on this issue. Because there's a lot about this that has been said that we don't agree with. We don't want, as -- as landlord, don't want to be responsible for nothing the tenant does. It's easy -- 'cause it's going to be easily dissolved if you sit down and had a time to discuss it with us by putting a -- some time in with us, let us let you know our real feelings and our concerns. And it will be beneficial to the City and the landlord.

I don't think I should be responsible for nothing the landlord leave done on the property for it's a billing concern. When you say you could cut it off. When the water get to a certain point, and if you're delinquished [sic], just cut it off and -- and if he's behind and want an extension, then if the City want to give them an extension, let that be the City's concern and not the landlord's concern. Now, far as the -- I think you mentioned something about doing a credit check. I do that on my tenants, you know?

And if the City do a credit check when a person come in to turn the water on and the person come in to rent, maybe the landlord also could call the City and ask as, Have y'all had any problem with this person and the City for his water concern? Have they stayed in the City -- when we get the address or their phone number, where they have to move from another city, maybe we'll call that city as well and get the permission from that tenant to call that city and check and see what their water bill -- did they pay their water bill with the city they left. And that would leave us, the tenant -- the landlord, with some concerns. Well, I -- I'm sorry you got a bad credit 'cause I do run credits on their -- on their tenants.

And -- and if that's be the case, then we could say it -- we could still tell them, No, we can't -- I'm afraid I can't rent to you because you got a delinquished water bill, even if it's another city. You go take care of that one and then that'll clear you up with the City here if they're coming here and -- and give them some credit to come and open up a water account here. And if you take that burden off the landlord -- I don't want to be responsible nothing that tenant does far as the water's concerned. Pay the water bill. If they get a month behind, increase their deposit and if they -- if they -- before they use the deposit, simply cut the water off, point blank.

And far as -- I would -- I wouldn't come in and -- and sign an agreement to give them an extension if they want an extension. No. And if that does happen, why somebody might could forge your name and sign a -- a agreement to come in and say, My landlord gave me an extension and keep it going. No. Give -- get the landlord out of the water bill plan, period. That's my concern.

CHAIRPERSON DAVIS: All right. Thank you, sir.

REVEREND WILLIAM BURRS: Let the dealer -- let the -- the tenant handle it themselves.

CHAIRPERSON DAVIS: Thank you.

REVEREND WILLIAM BURRS: So maybe there's other things we can discuss, hopefully, to bring it back with the next Council with our --

CHAIRPERSON DAVIS: Okay, Reverend Burrs, your time is up.

REVEREND WILLIAM BURRS: -- Councilman Thomas because I don't think it's right to give us three minutes to discuss our total feelings on this issue.

CHAIRPERSON DAVIS: Okay.

REVEREND WILLIAM BURRS: It's not right.

CHAIRPERSON DAVIS: Your time is up Mr. Burrs. Henry Taylor then Oliver Green.

HENRY TAYLOR: Good evening. Henry Taylor.

CHAIRPERSON DAVIS: Good evening, sir.

HENRY TAYLOR: I want to thank the City Manager, too, for having us come in and meet with her to try to get this item solved. As I sat back and listened to the gentleman explain and discuss the items on the board, he still is not concerned about the landlord. He still wants to stick everything on the landlord and I'm tired of this city sticking everything on the property owners and talking about our tax bills. He wants to put a water bills on our tax bills. I don't see why y'all hired such a person.

All right. We are concerned about the water bills being responsible by the property owners. The tenant has an agreement with the City for -- for you to furnish them water. You furnish them water; they ought to pay you. If they don't pay you, you turn their water off. On the second water bill that you send in, you have a cut-off date. If the Water Department would have their employees do their job, when that date comes, cut the water off and take the amount of money that they owe out of their deposit. Stop trying to stick everything on the taxpayers of this city and the property owners.

You were elected by us as property owners and residents of this city. Look out for us. Think about us. Think about what we have to do. If you were a property owner and a landlord, you would feel the same way that I feel. I should not be responsible for Joe Blow that I rent to to pay his water bill. You're making it possible for them to run up a water bill as high as they want to run it up and then you want to stick me with the bill. That's not right. We should have a very good workshop and make the tenants or

whoever comes in to get this water, responsible for paying their bills. This is what we want; this is what we need in this city.

And I think that you people that's on the Board there and you serve on the City Council, look out for the taxpayers and the property owners in this city. This is what we need. Think about us and think about you if you were in the same predicament. Thank you.

CHAIRPERSON DAVIS: Thank you, sir. Mr. Green? And then Edward Vickers.

OLIVER GREEN: My name is Oliver Green and I would like to thank the Council for listening to the group that we have concerns in reference to utility. I will try to make this as brief as I possibly can. And I just -- guess I'm just mimicking Mr. Taylor here. The City is providing a service to the tenant when he applies for the water. The tenant should be responsible for his bill. The tenant makes the bill; he should pay the bill. And I think that's simple.

I have a situation occurring as we speak and it starts with this agreement. On April, 2014, I have a tenant who filled out this information and he was asked to bring it to the City to say that I want service. Okay? I filled out my portion. I had a problem with the Social Security number 'cause I don't want my Social Security number floating all around town and the city and what have you. That's one thing. But this tenant, after telling him to come over to the City to turn this application in to apply for the water, that tenant, as of today, has not turned in this form. And I've checked from the second month downstairs to find out whether or not this tenant has come in -- had come in to -- to bring this form. As of today, he has not. Now the tenant is being evicted at this point. But he still hasn't complied with the landlord; he hasn't complied with the City.

So now, what I'm hearing is the landlord or the property manager is responsible for the bill. That's not right. I think it's -- it's -- they're forming a loophole for the tenant and you don't want this kind of loophole getting out in the community. Because it's not a win-win situation for -- for anyone. So -- and there are some other things but I won't elaborate on them at this point in time. But there's some things need to be done about this -- this form. Thank you.

CHAIRPERSON DAVIS: Thank you, sir. Edward Vickers. After him is Joseph Anderson.

EDWARD VICKERS: Good evening. My name is Ed Vickers and I'm a property owner here in Riviera Beach. Number 10, residents charge, storm water and trash to be added on tax bill. That is a ridiculous suggestion right there. You know, my property taxes, I pay every year on time. I don't owe nobody for property taxes. Okay? And I pay it on time because I think that's my responsibility.

I like number two, increase deposit requirement. Why can't the City do that? Why can't the City perform credit checks? I was telling a friend in Connecticut and he's saying the City's called -- somebody move from one city or town to the next, they check the other

city and they find out if their water is delinquent in another city, they would not allow him to open -- open the -- let them go and cut the water off. So if you check on these people, you know, when you're getting ready to -- 'cause they -- you all require the -- the lease when you -- when they come in and cut on the water. You -- you require for them to bring the lease which make them in charge of the property for the -- the -- for their lease. I can't even go in there and do what I want to do long as they're in -- within that time of their lease.

I can't just go in that place -- I have to ask them, "Can I come in and just to check the place out?" Because they're in charge of that place during the time of the lease. So they should be responsible -- that should be their responsibility. So when they come here with their lease and give you a deposit, I mean, that's -- that's a contract between you and that -- that tenant. I don't understand why I have to be responsible for that tenant's bill. I mean, the next thing you know, Florida Power & Light gonna do it next. If you can do it, they can do it, too. They just open up a --

The other thing I want you to understand is that in the case of -- just a scenario here that I may evict a tenant one day. And he may get mad. 'Cause they're smart, too. They know all the rules and regulations. And because of the fact that I -- that I evict them, they may cut the water on -- turn it on all night long. They don't care. Okay? 'Cause they're not -- they know they're not responsible. They know who is going to have to pay that bill and then that's a way of getting back at me. So you open up these little different things that they can do to me. So the bills gonna become actually higher than -- than -- than you can think of. So you gotta be sure what you're doing here because these -- these -- like I say, these people know the rules just like everybody else and they will take advantage of that situation. And I don't like for you all to put me in that kind of position to -- for -- for them to be able to do something like that.

So I just think that the City needs to get up -- get up and -- and -- and -- and get these people and -- and -- and charge them for -- and cut the water off if they're not paying their bill. You know? That's what they need to do. You need to cut the water off. And I don't need you to add nothing on my tax bill. I got enough on my tax bill.

CHAIRPERSON DAVIS: Thank you, sir. Me, too.

EDWARD VICKERS: Enough. I'm telling you. I don't need that (inaudible) stuff.

CHAIRPERSON DAVIS: Oh, goodness.

JOSEPH ANDERSON: Good evening.

CHAIRPERSON DAVIS: Good evening, sir.

JOSEPH ANDERSON: Joseph Anderson. 331 W. 16th Way, Riviera Beach, Florida, and I echo the same sentiments as those that have come before me. And he mentioned credit. So when you mention credit, that means you're telling me I have to be a co-

signer. So you're saying I have to be a co-signer to a tenant and that in -- in reference doesn't make any sense because you're forcing that upon me, first and foremost.

So I'm extending my credit to someone else who I really don't know how they're going to pay. And I agree with them because when you look at your FP&L, you look at your Comcast, which is your cable bill, your Internet and everything else. So that what -- what you're practically saying is we should be responsible for all utilities, whether they pay it or not. So that's a free ride. And then at the end of these leases, when people tend to move from one domicile to another place, they tend to have budget constraints but they may not -- can't afford to pay that last bill. And many of them will move into another residence with no problem, whether it's from West Palm to Lake Park to Boynton, anyplace else, and they'll forego this last bill and we're stuck paying this bill again.

So I'm all in favor of increasing the deposit requirements and maybe if it's \$1,000 and they can only come up with 500, maybe that's prorated for the 12 months or so when they can kind of catch that up, so on. I mean, you can do other creative ways as to -- to get them to pay it. And, hey, maybe after 45 days, if their bill is due after 30 days and then they don't pay within a 40-day timeframe, use the deposit to cover the bill. But at the same time, for them to get the water turned back on, they have to cover back the deposit as well as pay any outstanding.

I mean, you have to be able to sit down. But I do not agree with you putting the burden of a collection agency on the taxpayer, which is the landlord. You're basically telling us to do your job, and it's other ways that you -- and said right here as -- such as, hey, a credit check. FP&L does it. Why not the City of Riviera Beach? A greater deposit. So, yeah. I think you -- you -- in my opinion -- I don't think this was well-vetted. I think it was put in and you saw other people doing it. But then you also have to look at our city as well. You have some individuals that are below the poverty level as well as you're looking at the unemployment rate. So people will look at what bills they were paying because self-sacrificing comes into play, so you have to really look at what they're doing.

But to put this on a landlord, I don't see where this is -- doesn't make any sense at all and you're telling us to collect for you. We don't enjoy in any of the services, but we're on the hook for the bill. Thank you.

CHAIRPERSON DAVIS: Thank you, sir. I have a question. The -- the -- the document that Mr. Green, I think it was, that you showed. What document was that, Mr. Sherman? That document that you were saying that -- that the tenant --

FINANCE DIRECTOR SHERMAN: I -- I -- I -- I assume it was the -- the landlord/tenant agreement.

BOARD MEMBER T. DAVIS: Tenant agreement, yes.

FINANCE DIRECTOR SHERMAN: Where the land -- where the --

CHAIRPERSON DAVIS: The lease?

FINANCE DIRECTOR SHERMAN: -- property owner would authorize the tenant to be their agent and pay the bills. So we put the name in the -- we put the name of the account in the tenant's name.

CHAIRPERSON DAVIS: Uh-huh.

FINANCE DIRECTOR SHERMAN: Okay? We send out two bills every month: one to the tenant, and one to the property owner, so they know that their tenant is paying or not paying.

CHAIRPERSON DAVIS: Uh-huh.

FINANCE DIRECTOR SHERMAN: But that's a classic case.

CHAIRPERSON DAVIS: So it wasn't returned --

FINANCE DIRECTOR SHERMAN: We don't know that there's a tenant --

CHAIRPERSON DAVIS: -- okay.

FINANCE DIRECTOR SHERMAN: -- in there.

CHAIRPERSON DAVIS: So it wasn't returned to the landlord nor was it returned to us.

FINANCE DIRECTOR SHERMAN: Right. So we would have kept the name of the -- the customer would've remained in the name of the property owner because we had no notification.

CHAIRPERSON DAVIS: Okay. So how long a period of time did that -- has that been? I think you said it was April and --

FINANCE DIRECTOR SHERMAN: Yeah. And, again, I'm not --

CHAIRPERSON DAVIS: Okay. So --

FINANCE DIRECTOR SHERMAN: -- familiar with that particular account but --

CHAIRPERSON DAVIS: -- could you come back up, Mr. Green, please? I'm -- I'm just trying to get clear in my head what period of time this was. Was this April and it's all the way up to now --

OLIVER GREEN: Yes.

CHAIRPERSON DAVIS: -- that you did not receive --

OLIVER GREEN: Absolutely, yes. This is the form now that I was speaking about.

CHAIRPERSON DAVIS: Okay. So that's the form that he filled out -- the person filled out --

OLIVER GREEN: Yes.

CHAIRPERSON DAVIS: -- when you rented the property to him?

OLIVER GREEN: Prospective tenant, yes.

CHAIRPERSON DAVIS: And so from April until now, you're -- you're starting to evict now?

OLIVER GREEN: Well, I -- I started -- I started long before now.

CHAIRPERSON DAVIS: To evict?

OLIVER GREEN: The -- this process is still going on.

CHAIRPERSON DAVIS: The eviction process?

OLIVER GREEN: Yes.

BOARD MEMBER GUYTON: Are they getting water?

CHAIRPERSON DAVIS: Huh?

BOARD MEMBER GUYTON: Are they getting water now?

CHAIRPERSON DAVIS: I -- are -- are -- are -- is your tenant getting water now?

OLIVER GREEN: I don't know. I got a bill.

CHAIRPERSON DAVIS: Okay. I -- I was just trying to figure this out because apparently it's not working that particular --

OLIVER GREEN: No, it is not.

CHAIRPERSON DAVIS: -- piece it's not working. Okay. Let me just tell -- put my thoughts out there. Thank you, sir. Apparently, there are some problems with this, and like Mr. Sherman said, we approved this back in June of 20 -- June of 2013, and here it is a year and a half later, we're having all of these problems.

So I know that there are other cities that do charge a higher deposit for some customers. But even if we did -- and-- and I'm open to that option, okay? Another option that I'm

open -- open to is -- and it sounds harsh and, you know, by saying this, I know it probably, when it happens, you know, if we -- if everybody agrees to do this, to turn the water off if someone doesn't pay by a certain period of time. I know with FP&L, if you don't pay your bill by a certain time, they give you a few days later and your electricity is off. Okay? Bottom line. There's no argument.

But in this particular city, if we turn the water off, then I think we're going to be opening ourselves up to other residents coming with an emotional plea that, you know, Okay, you turn the water off on a family, a -- a child -- a mother with two kids. You know? So what is the -- I mean, where do you go from there? So I think there has to be some kind of partnership, and if that is the case, where the water is turned off, a notice be sent at the same time that you send a notice to the tenant that, Your water is going to be shut off by such-and-such a date. We also send that notice to the landlord stating that the water is going to be shut off by such-and-such a date to property at this address. Okay?

And it -- it -- it has to work hand in hand with the landlord and with the City, because I also feel like the taxpayers shouldn't bear the burden of -- of landlord's tenants who don't pay their bills. So I'm open to those two things: higher deposits, only on the rental properties. Those people who have to bring in a lease. Okay? Not for our regular -- our homeowners. And I'm also opening -- open to turning off the water by a specific date and maybe -- I know we give people a long time.

BOARD MEMBER T. DAVIS: Yeah.

CHAIRPERSON DAVIS: And I think that needs to be totally adjusted. Okay? I think that is just the most ridiculous thing there is and I think that is one of the reasons why we've opened our -- why we're so open to so much debt out there. Because we just give people so, so, so much time and, you know, I think it's just time to get away from that. Any other comments? Any other comments?

BOARD MEMBER GUYTON: Yes, yes, Madam --

CHAIRPERSON DAVIS: Mr. Guyton.

BOARD MEMBER GUYTON: First let me say that the discussion items up there are only that. None of those have been considered for adoption.

CHAIRPERSON DAVIS: Nope.

BOARD MEMBER GUYTON: So there was some suggestion that some of those items have -- are under consideration or -- or have been decided that they would be implemented. So those items were derived from discussions to try to address the problems that we are here for, and that is whether the landlords should have any responsibility for the water bills.

First let me say that in our community, I believe Mr. Anderson touched on it, that we do have a high number of people living under the poverty line. We do have a high unemployment rate and as a result, we do have a lot of people in need. I'm not in favor of having a -- a lot of meetings -- a whole lot of discussions. At some point, we, as policymakers, have to make a decision.

We have had, I know at least six meetings on this publicly. There've been private meetings as well as some of the tenants have indicated they've met with the City Manager. They're meeting with some of the Council people. And this is more toward my colleagues than any -- anyone else. We have to make some decisions. Because in no community will you come up with a solution that everyone is satisfied with. We will be meeting until infinity because everyone is not going to agree.

Some of it, I know, and no dab [sic] at anybody, it's just politics. You know? We -- we've got to show that, Hey, I'm concerned about your issues and I'm gonna sit down and talk to you. And we need to do that. But at some point, we have to make a decision. I'm at the point now where I -- I am ready to make decisions.

We have a responsibility as a city, in my opinion, to take care of our business, whatever we are in charge of, if it's water or whatever the service is. That's our responsibility. I don't think it's our responsibility to ensure that if a form is sent by somebody that it gets here. That's not our responsibility. If a form needs to be filled out or brought here, if the responsibility of whomever name on it and if there's a problem from that, that is not the City's problem. And it is my hope that if we are allowing people to bring in forms, maybe that needs to stop. Maybe the landlord and whoever they gonna assign, need to come into this office, both of them be here, and there's no question about whether the form got here, or whether the person on there is the person that is allowed to be there.

I don't think, quite frankly, that the landlord should be fully responsible for collections. And it's my hope that we can come up with a system that we would have an adequate deposit and as it began to reach that deposit level, we, as a city, have to make a decision. Either we're going to notify them that at this point it's gonna be turned off and we need to turn it off, so that it does not exceed the level of refund that we have on hand.

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: There are going to be situations that are going to be completely heart-wrenching.

CHAIRPERSON DAVIS: It is.

BOARD MEMBER GUYTON: You have people living under the poverty line that need water. It -- this is not a desire; this a necessity. And -- and as policymakers, too, people expect us to have some compassion, some humanity.

CHAIRPERSON DAVIS: -- associate with trying --

BOARD MEMBER GUYTON: And I think we should. But we also have to be realistic about the amount of debt that we can actually carry. The landlord doesn't want the debt. The City doesn't either.

CHAIRPERSON DAVIS: That's right.

BOARD MEMBER GUYTON: I -- I mean, we're in the same position. We don't want to carry anybody debt. And we're trying to develop a system by which it'd be a fair process to all involved. But to suggest that the taxpayers need to carry the debt, I'm -- I'm -- I'm not really for that one. That -- that's not something that I'm willing to entertain. I don't think the landlords should be in that position, either. And therefore, we, up here, have to make some difficult decisions. But I don't want anyone to think that you're the City, so you should carry the debt. Or -- or if the, you know, the paperwork is not correct, it's our fault or it doesn't get here.

So I'm prepared to make some difficult decisions and I have a few questions first though. Because I'm looking at how the deposit is calculated and according to the policy, it's based on the last either two or three months of service. Would somebody come to the mic and -- and clarify for me under the policy 1.23 -- excuse me, 2.1, Account Deposits (2), Residential Account Deposits. It says, "An account deposit should be required for each dwelling unit. The account deposit should be calculated based upon and equal to a recent three-month billing or an average three-month billing, for an ERU," which is -- tell the people what that acronym means.

FINANCE DIRECTOR SHERMAN: And ERU is an Equivalent Residential Unit.

CHAIRPERSON DAVIS: Excuse me. Mr. Guyton?

BOARD MEMBER GUYTON: Yeah.

CHAIRPERSON DAVIS: Would you please state which -- which --

BOARD MEMBER GUYTON: I'm reading from --

UNIDENTIFIED SPEAKER: Section eight.

BOARD MEMBER GUYTON: -- policy 2.1 --

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: -- Account Deposits (2) --

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER GUYTON: -- Residential Account Deposit Requirement.

CHAIRPERSON DAVIS: Okay, okay.

BOARD MEMBER GUYTON: And as I read through this, it became concerning that the tenant that's coming in may have a different water use pattern from the tenant that left.

FINANCE DIRECTOR SHERMAN: Yep.

BOARD MEMBER GUYTON: But we're basing our deposit on the tenant that left.

BOARD MEMBER T. DAVIS: That's true.

BOARD MEMBER GUYTON: So I'm -- I guess -- I started thinking about, one, is that fair? But two, what else do we have to base it on?

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: The City is in this quandary, too. We need to develop a methodology by which we can also ascertain a reasonable deposit.

Said credit. I go back to many of our people living under the poverty line, unemployed or may be in between jobs. There would be some that might not qualify or would have to pay a very high deposit that they don't have. So my question first is, has there been any consideration to developing a deposit calculation that could more accurately represent the tenant coming in --

CHAIRPERSON DAVIS: Based on credit history.

BOARD MEMBER GUYTON: -- as opposed -- and that could be an option --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: The Chair said based on credit history -- as opposed to the tenant that left. And that is my question I want to lay into your lap, Mr. Sherman.

FINANCE DIRECTOR SHERMAN: Yeah. And again, they -- Chairman is -- is right. I mean, the only thing you could really look at would be credit history. Yeah. I mean, you can find two homes that have two -- you know, can be identical pieces of property and their usage can be totally different.

UNIDENTIFIED SPEAKER: Uh-huh.

FINANCE DIRECTOR SHERMAN: Whether they have irrigation, whether there's one person in there or a family of five. I mean, you know, the usage is just different. So we look at the home, you know, that particular property, and you're right. If it's gone from a - a five person to a single person, the deposit's probably much higher than it -- than it should be. But there's really no way to -- to gauge it. I mean, I suppose we could look

at, you know, number of bedrooms. I mean, you know, I mean, you could get into all of those, you know --

BOARD MEMBER GUYTON: No, no. That -- and I don't --

FINANCE DIRECTOR SHERMAN: -- algebraic formulas if you wanted to but --

BOARD MEMBER GUYTON: And let me just say, I'm -- it is not my intent to make this more complicated --

FINANCE DIRECTOR SHERMAN: No.

BOARD MEMBER GUYTON: -- than it need to be. But there are issues when I read through it that I felt needed to be addressed, especially the deposit. That seems to be the -- the component that something may help to resolve this issue as it relates to what the landlord may be responsible for and what the City may be potentially on the hook for. So the deposit is -- is one of the areas that I would be willing to take a look at in an effort to mitigate or minimize or even erase the responsibility of the landlord.

I'm of the position -- and -- and when I sit here, I -- I'm, you know, some people agree with what I said, some don't. But I try to deal with data, documents and evidence, not the emotions. You know? We -- we get very emotional about some of these issues. But for me to make rational decisions, I like to have something to support my position other than the politics -- I had five people call me so I want to change the policy now. That's not me. Or, you know, this person got real angry so maybe we need to look at this again. No, no. Just give me some data, documents and evidence and let me make a rational decision based, not on emotions, but based on something substantive.

So I would like to look at the deposit but the calculation of using the past tenant usage does concern me because it may be unfair or not --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- applicable to the incoming usage. And it's hard to gauge, I know, so maybe credit history -- maybe what may be the most reliable source to try to gauge what the incoming tenant can and will be responsible for. I also said that if we get close to that deposit, we need to start sounding some bells to that tenant that, You're getting close to your deposit and either you're going to have to pay what is due or we have to make a difficult decision to turn your water off. It's going to be unfortunate; it's going to be cases at the City Council meeting. They turned my water off, like -- like they were in Detroit. You heard everybody complaining and come to find out, many of them did owe what the City said they owed. I -- I mean, we just can't go indefinitely but we do want to have some level of compassion.

So I would hope that the turn-off would be based in large part on what the deposit is. If they have a deposit that may cover three months, after a month, we say, You're a month

behind. Now the second month coming up, we can't let it go three months because that's going to exceed the deposit that you have. And that's the limit. So that is where I am. I'm not in favor of transferring the responsibility to the landlord. And -- and -- and -- and another reason that I don't want to have a lot of meetings. It's -- they've already said what their issue is. They don't want the responsibility. So what do we keep meeting about? We, as a -- as policymakers need to decide how we're going to address that.

We -- we know what the concern is so I don't need to keep meeting for them to tell me the same thing. They don't want the responsibility so what are we going to do? We need to make some decisions and I'm ready to make decisions. So that's where I am, Madam Chair. There are two areas that I would like to look at. That is the deposit, and not allowing the bill to exceed the deposit that is on hand. But certainly give them notice before they reach that level. But I -- I do not feel that the landlord, ultimately, should be responsible for collecting a service that we are providing. But that is going to require us to make some very difficult decisions on people that are going to be in need.

So either the City is going to be willing to bite the bullet and go further in debt, which I don't support, or, in my humble opinion, we should not transfer that responsibility to the landlord. Now, if it was a service that the landlord was using and providing, that's different. But to that extent, I agree with them. If they're not using it, they shouldn't be responsible for it. That's just my position. I'm only one vote. I don't need to meet a lot with people. I just need the data, document and evidence and I'll pull my big boy pants up and I'll make a difficult decision. And that's my decision.

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: Mr. Davis.

BOARD MEMBER T. DAVIS: I'm going to be very brief in making my point clear. Residents come to City Hall and they have an issue, whether emotional or not, they're taxpayers and we have to make sure that we put these items on the agenda for discussion. Some of these items are going to be ongoing issues and water has been an ongoing issue for many years. You made -- it's very clear and I think we all can agree on a deposit formula as being a -- a start of the process. But we had about four or five residents come to the microphone and say they would like to workshop it. I truly voted against post -- waiting to do the workshop. But they came to the microphone and said they'd like to give more input. But I do think that this item can be -- staff can go back, make the necessary changes to show that the City will not be holding all the risk and that the landlord, based on the things that the residents came to the microphone and said today, would like to take some of the risk off of them and then bring it back to the next Utility District meeting and showing us what modifications and what recommendations you bring before this Board. And then if we need to make the big boy decision at that time, I'll be ready. But if we need to make some more modifications, then we bring it back for another meeting.

Because this is just why we're here, you know? Just as we move forward, that would eliminate a lot of the emotion because the people on this side wants to be heard the same way the people on the east side always heard. So let's be very on balance on how we handle all of our residents and how we work together on this Board.

And I do support what the Board has discussed on the formula. I will trust, then, to Mr. Sherman that he's heard the residents on what they'd like to see happen and what's important to them -- we trust him to this Board about what important to us. And just bring those recommendations back to the very next meeting so we can make the right decision together. That's all.

CHAIRPERSON DAVIS: Okay. And one question, Mr. Sherman or Mr. Aurigemma. I understand some properties that have more than one rental unit only have one meter? Is that -- I remember a -- a case of hearing that.

FINANCE DIRECTOR SHERMAN: Yeah, yes. Some of them would have a master meter.

CHAIRPERSON DAVIS: So how do we handle those issues -- the water issue?

FINANCE DIRECTOR SHERMAN: It's usually kept -- it's kept to the name of the property owner.

CHAIRPERSON DAVIS: Okay. All right. Here's what my suggestion is. The previous vote that we took for -- that Councilman Thomas wanted to do was hold a -- a meeting with the landlords on Thursday failed. So it's -- it's gone -- it's -- it died. What I would suggest, because I don't want to keep coming back to revisit this, I would suggest a workshop and invite the landlords to it. But I think what we need to do is give people a copy of this. It has to be a working session. Be prepared to come with your suggestions as well and because, as I said, and I think Mr. Guyton said, you -- you don't want the burden of having to pay the water bill for your tenants. I don't want the taxpayers to have to be burdened with that bill, either. Okay?

So, like I said before, it has to be a partnership where you have -- you put your input in, we give you our input and it has to be a win-win situation for both sides. And the only way we're going to do that is that we sit down, hash it out, okay, and -- and go from there. Because when it comes down to it and we have to shut off somebody's water, a mother with three kids, I don't want people coming back up here blaming me. Okay? This is -- this is how it is and you know it's going to happen. So you guys are going to bear part of the responsibility, too. That's -- that's how I see it.

And, you know, that way, I think we'll -- we'll -- we'll have a -- an agreement from everybody and move forward with that.

BOARD MEMBER T. DAVIS: Madam -- Madam Chair?

CHAIRPERSON DAVIS: And I think it should be a Saturday workshop.

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: Mr. Davis.

BOARD MEMBER T. DAVIS: What Saturday did you pose [sic] to that we --

CHAIRPERSON DAVIS: I don't have a -- I didn't propose any Saturday. I just said a Saturday.

BOARD MEMBER T. DAVIS: I'm just asking --

CHAIRPERSON DAVIS: So what -- whatever -- whatever --

BOARD MEMBER T. DAVIS: -- 'cause I'm trying to -- I'm trying to work with you --

CHAIRPERSON DAVIS: -- the Board decides.

BOARD MEMBER T. DAVIS: -- I'm just asking.

CHAIRPERSON DAVIS: That's all. You know, whatever the Board does.

BOARD MEMBER T. DAVIS: Because all our Board members are not here. So do you want --

CHAIRPERSON DAVIS: I'm not saying this Saturday. I'm saying whenever.

BOARD MEMBER T. DAVIS: I'm just asking. Just throw something out there.

BOARD MEMBER GUYTON: I think she, uh, poll the -- the members and --

CHAIRPERSON DAVIS: Yeah. And see what Saturday you want to do it.

BOARD MEMBER T. DAVIS: And we need to get this information back to the public.

BOARD MEMBER GUYTON: Yeah. Madam Chair.

CHAIRPERSON DAVIS: Yes, Mr. Guyton.

BOARD MEMBER GUYTON: What are we going -- what method are we gonna use to notify landlords? Because at the last meeting, that was the same thing came up --

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: -- and I thought that that's why we was having this meeting, to have time to notify the landlords so that they can be here.

CHAIRPERSON DAVIS: Right.

BOARD MEMBER GUYTON: So, I mean, we -- we -- we're -- we're doing the same thing again.

CHAIRPERSON DAVIS: Well, that's why --

BOARD MEMBER GUYTON: And like I've said --

CHAIRPERSON DAVIS: -- I'm saying, we don't -- we -- it doesn't have to be something that is going to happen right away.

BOARD MEMBER GUYTON: And that's good.

CHAIRPERSON DAVIS: I mean, and -- and I'm not trying to -- to put it off or anything. I'm saying it's going to take time in order to get the information out there -- hold on one second, sir -- get the information out there. Get the people together; get a date that everybody can attend. And, you know, we go from there. I don't even know if we'll be able to have it in City Hall, you know, whether it will be big enough. But, I -- I certainly believe that it has to be a partnership agreement.

BOARD MEMBER GUYTON: Oh, oh -- I don't have a problem with it.

CHAIRPERSON DAVIS: Mr. Taylor, you -- I'm -- I'm going to allow you to come up.

BOARD MEMBER GUYTON: I -- I -- okay. When you're done, I have --

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER GUYTON: -- something (inaudible).

HENRY TAYLOR: Again, I don't wanna take too long. I think Councilman Guyton has the right idea.

BOARD MEMBER T. DAVIS: Uh-huh.

HENRY TAYLOR: We've come to you -- this is the second time that we've been here to you.

BOARD MEMBER T. DAVIS: Yep.

HENRY TAYLOR: You know what we feel like. You know what we want. Councilman Guyton has just told you. You know what he wants. He's ready to make a decision.

CHAIRPERSON DAVIS: Okay.

HENRY TAYLOR: We have brought you enough information for you to be able to make your decision as to revise this piece of paper that we have to sign. We don't want to be responsible. It's your responsibility if you're providing water to these people and they don't pay you, it's your responsibility to turn their water off.

BOARD MEMBER T. DAVIS: Uh-huh.

HENRY TAYLOR: You have to make a hard decision like we have to make a hard decision as property owners. We have the opportunity to let people come in and rent our apartments --

CHAIRPERSON DAVIS: I'm listening.

HENRY TAYLOR: -- and -- and not pay as much money as we would want them to pay us down to move into our apartment. You have the responsibility that if you want to grant the water -- the people that you are serving water to, you want to grant them an extension, that's your decision. You shouldn't have me signing a paper saying that it's okay for you to grant them --

CHAIRPERSON DAVIS: Okay. I -- I got it.

HENRY TAYLOR: Yeah. So --

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: Okay. So --

HENRY TAYLOR: -- what we need is for you to go ahead on and -- and work it out among yourselves.

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER T. DAVIS: Madam --

HENRY TAYLOR: Revise this letter taking the responsibility off of us; taking the responsibility -- making the -- the people that's getting the water from you, make them responsible for it.

CHAIRPERSON DAVIS: Okay, Mr. Taylor. I -- I heard you. Okay?

HENRY TAYLOR: That's what we need.

CHAIRPERSON DAVIS: Thank you so much, sir.

BOARD MEMBER T. DAVIS: Madam Chair.

BOARD MEMBER GUYTON: Madam Chair.

CHAIRPERSON DAVIS: All right. So I think I heard Mr. --

BOARD MEMBER GUYTON: Wait. I'm still not done --

CHAIRPERSON DAVIS: Who did I hear first?

BOARD MEMBER T. DAVIS: Um --

CHAIRPERSON DAVIS: I don't -- I don't remember.

BOARD MEMBER T. DAVIS: -- he -- he jumped up earlier than I did.

BOARD MEMBER GUYTON: Well, I was still on --

CHAIRPERSON DAVIS: All right. Mr. Guyton and then Mr. Davis.

BOARD MEMBER GUYTON: -- my questions -- I need Mr. Sherman back -- back to the mic and -- and for -- and for the rest of my colleagues, I don't have a problem allowing us to have the rest of our members here to make the decision. I'm prepared now but if -- if -

CHAIRPERSON DAVIS: No, I'm fine.

BOARD MEMBER GUYTON: -- if the colleagues are not --

CHAIRPERSON DAVIS: Let's -- we'll move forward.

BOARD MEMBER GUYTON: -- I don't mind having them wait.

BOARD MEMBER T. DAVIS: And just -- you can bring it back to the next meeting.

BOARD MEMBER GUYTON: Mr. Sherman, under -- I'm still on the policy and I'm going from Deposit to Dispute Resolution section now, which is section 2.13.

FINANCE DIRECTOR SHERMAN: Okay.

CHAIRPERSON DAVIS: Yeah.

BOARD MEMBER GUYTON: Okay. You with me?

CHAIRPERSON DAVIS: Yep.

BOARD MEMBER GUYTON: The second sentence says, "Customers may register a dispute via the District website, a telephone call to Customer Service employee, or in person at the Customer Service counter." My question is what verification --

CHAIRPERSON DAVIS: Okay. I'm trying to find 2.13 --

BOARD MEMBER GUYTON: Oh -- oh.

CHAIRPERSON DAVIS: -- 'cause I -- I can see what you're saying.

BOARD MEMBER GUYTON: It's -- it's on page 16.

CHAIRPERSON DAVIS: That's 2 point -- oh, okay.

BOARD MEMBER GUYTON: You with me now?

CHAIRPERSON DAVIS: That's it. Yeah.

BOARD MEMBER GUYTON: Okay. This is going to be a critical part, too, of whatever we decide to do with this landlord issue, there will be disputes. But my -- my question on that particular section is I'm concerned about allowing a dispute to be registered via phone without the customer having any verification that they registered that dispute. I don't want the City or the customer to be in a position where they don't have verification of this discussion. And there needs to be some way where, if a dispute is registered, that the customer would have some acknowledgement --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- that they have registered a dispute. You know, sometimes our employees get busy. Not that they will.

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: And, you know, or they may go off and start doing something else and then, you know, they don't enter it right then, but this customer is relying on this telephone call.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: So I would rather have a data system to protect, not just the customer, but the City, too. That, you know, this is -- when we talked and what the dispute was. So a telephone call to me is not (inaudible).

FINANCE DIRECTOR SHERMAN: Well -- well, what they do now is they'll call -- they'll call into Customer Service. I mean, that -- that's typically where the disputes --

BOARD MEMBER GUYTON: Uh-huh.

FINANCE DIRECTOR SHERMAN: -- do start. Customer Service would put all of the notes on the account. All right? And -- and they -- they try to resolve them. I mean --

BOARD MEMBER GUYTON: Uh-huh.

FINANCE DIRECTOR SHERMAN: -- you know, and, you know, they have a -- a target that they try -- supposed to resolve before it gets escalated. If it does get escalated, you know, they're supposed to return the calls within the next business day -- you know, within a business day.

BOARD MEMBER GUYTON: My question is --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- how can the call be verified --

FINANCE DIRECTOR SHERMAN: I mean, other than -- I mean, it is -- it is law that I --

CHAIRPERSON DAVIS: Hold on. Listen to the question, please.

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: How can the call be verified to protect the City --

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: -- and to protect the customer?

FINANCE DIRECTOR SHERMAN: No. Again, that -- that's what I was going to say. They -- they do log it in. But you're right. They don't necessarily send out an email or -- or anything to that extent. We -- we could. I mean, that's, you know, we'd just have to make sure we have that data in the call-back.

BOARD MEMBER GUYTON: I think some verification --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- of the conversation --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- need to be --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- recorded.

FINANCE DIRECTOR SHERMAN: And -- and keep in mind, all of the phone calls --

BOARD MEMBER GUYTON: So --

FINANCE DIRECTOR SHERMAN: -- into Customer Service are recorded.

BOARD MEMBER GUYTON: Okay.

FINANCE DIRECTOR SHERMAN: So, again, when somebody calls back and says, I called on such-and-such a day, you know, and nobody got back to me. We can verify that. We know exactly who they talked to and everything.

BOARD MEMBER GUYTON: What -- what this is more about --

FINANCE DIRECTOR SHERMAN: But, no. I --

BOARD MEMBER GUYTON: -- is a dispute--

FINANCE DIRECTOR SHERMAN: -- I under -- I understand what you're saying.

BOARD MEMBER GUYTON: -- being registered.

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: Not just -- just calling in and say that I got a issue.

FINANCE DIRECTOR SHERMAN: Yeah, yeah.

BOARD MEMBER GUYTON: This is saying that I want to dispute a bill.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: That's what we're talking about. Not calling for an inquiry or just questioning the bill.

FINANCE DIRECTOR SHERMAN: Uh-huh.

BOARD MEMBER GUYTON: This is about registering a dispute and it's my hope that we will establish a process to --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- protect the City and to protect the customer. This is the time you called, this is what your dispute was about, and this is verification of who you spoke to.

FINANCE DIRECTOR SHERMAN: Okay.

BOARD MEMBER GUYTON: Whether it's email or however you want to do it. So that's a --

FINANCE DIRECTOR SHERMAN: We -- we can do that.

BOARD MEMBER GUYTON: -- concern of mine. Okay. The other section is right below that. 2.13 (1), where it says, "Disputes shall be prioritized and handled by priority level." Are you with me there?

FINANCE DIRECTOR SHERMAN: Uh-huh.

BOARD MEMBER GUYTON: You see where --

FINANCE DIRECTOR SHERMAN: Yes. I have it.

BOARD MEMBER GUYTON: Okay. "Disputes shall be prioritized and handled by priority level." What are the different levels of priority? That is what that is inferring.

CHAIRPERSON DAVIS: Yeah.

FINANCE DIRECTOR SHERMAN: If --

BOARD MEMBER GUYTON: It's inferring that we have (inaudible).

FINANCE DIRECTOR SHERMAN: -- I mean, yeah. I'll just -- I can just give you a (inaudible). Somebody calls in and they said, you know, Jeez, I always use 4,000 gallons. This month I got billed for eight. That's one complaint. Somebody else calls in and says, I made a payment and my water got turned off anyway, that would take priority. We would want to get on that one quicker because that -- that actually is impacting somebody's service.

BOARD MEMBER GUYTON: Understood.

FINANCE DIRECTOR SHERMAN: The other one, we'd have to send somebody out. We'd investigate, you know? So that would -- that could be an example of two different priorities.

BOARD MEMBER GUYTON: Which -- which is a good example. But what I'm thinking about, we probably need to attach a category --

FINANCE DIRECTOR SHERMAN: Okay.

BOARD MEMBER GUYTON: -- to the -- to the prioritized levels. This is low priority; this is medium; this is high. And we can be subjective about it now and that would be debated as well. But -- but when a dispute resolution is registered and it has a high priority level, it should be tagged as high priority.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: So people who are -- who wasn't involved in that conversation to know that this issue need to be dealt with.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: Like, rickety-tick.

FINANCE DIRECTOR SHERMAN: Understood.

BOARD MEMBER GUYTON: So just to say that we're going to do it one way, let's try to identify some categories and train the Customer Service staff of what the low, medium and priority levels are.

FINANCE DIRECTOR SHERMAN: Uh-huh.

BOARD MEMBER GUYTON: The other part of that question you answered was how do we determine the priority level? On the next page, page 17 -- you know what? I think I'm supposed to give this book back but I have my notes all in it (inaudible). Under section four, Procedure to Request Hearings.

FINANCE DIRECTOR SHERMAN: Yes.

BOARD MEMBER GUYTON: Are you with me?

FINANCE DIRECTOR SHERMAN: Yep.

BOARD MEMBER GUYTON: Midway through the first sentence, it says, "The customer may request a hearing before the AHB, which is the Administrative Hearing Board, within five business days of -- of service disconnection or six months of the due date of the contested bill." Is that six-month period -- is that -- does -- that clock starts when the disconnection occurs? Is that when the six months start or -- or when does the six months start that they have to contest the bill?

FINANCE DIRECTOR SHERMAN: Well, the -- the six-month -- the six months looks backwards. So really what we're saying is, you know, don't -- don't come into me today and complain about last March's bill. Last March's bill is, you know, we're -- we're well beyond that. You have a problem with October's bill, that's okay. 'Cause we do --

occasionally we have people come in and go, Well, my 2011 bill -- like, 2011's come and gone. You know? We have to deal with -- with the current. So we -- we try to, you know, keep them --

BOARD MEMBER GUYTON: So then six months --

FINANCE DIRECTOR SHERMAN: -- keep them -- so we can deal with things --

BOARD MEMBER GUYTON: -- from the past or not -- from when disconnection starts? You're -- you're saying past bills that have already been billed to them.

FINANCE DIRECTOR SHERMAN: Already been billed to them, right.

BOARD MEMBER GUYTON: Okay.

FINANCE DIRECTOR SHERMAN: Right. I mean, again, when you have a problem, we want you to come in now. We want you to come in as quickly as you can --

BOARD MEMBER GUYTON: Understood -- understood.

FINANCE DIRECTOR SHERMAN: -- so we can resolve it. Everything's fresh --

BOARD MEMBER T. DAVIS: Uh-huh.

FINANCE DIRECTOR SHERMAN: -- you know, we can deal with it and we -- hopefully don't --

BOARD MEMBER GUYTON: Okay.

FINANCE DIRECTOR SHERMAN: -- you know, get these things --

BOARD MEMBER GUYTON: I just want clarification.

FINANCE DIRECTOR SHERMAN: -- going for years.

BOARD MEMBER GUYTON: That's -- that's all on that one. The next sentence says, "The administrative hearing fee must be paid to the District within 15 business days." What is the administrative hearing -- I mean, how much is it?

FINANCE DIRECTOR SHERMAN: Yeah. We -- we have never set it. That --

BOARD MEMBER GUYTON: I know I never found --

FINANCE DIRECTOR SHERMAN: No. We -- it hasn't been determined. That -- that has never been (inaudible).

BOARD MEMBER GUYTON: Like, at what point are we on --

FINANCE DIRECTOR SHERMAN: That was all gonna be part of when we did the whole rate study and, you know, we -- we -- we were to adopt an entire rate schedule.

BOARD MEMBER GUYTON: But have we -- haven't we started hearings?

FINANCE DIRECTOR SHERMAN: We've -- we've had a hearing and there was no fee.

BOARD MEMBER GUYTON: No fee. Okay. That's good -- that's good. Because in that, I want us to be considerate of senior citizens who may be on a fixed income and those other good things. So there needs to be some flexibility there. But able-bodied, working people, that's different. So there is no fee right now.

Another thing that wasn't clear, how -- how soon after receiving a request for a hearing, will a hearing be set?

FINANCE DIRECTOR SHERMAN: We have to give them 10 days' notice. So when -- when we get a -- somebody asks for a hearing, we've got to make sure that we have their written complaint. You know, 'cause we have to -- we have to get the facts so we can give the Board something.

BOARD MEMBER GUYTON: Is that --

FINANCE DIRECTOR SHERMAN: Okay?

BOARD MEMBER GUYTON: -- it's just for general (inaudible).

FINANCE DIRECTOR SHERMAN: As soon as we have that and we can get a day, we have to give them 10 days' notice. So once we've got everything in hand and we've got the committee and we can schedule them, then we can do it within, you know -- within that 10 days.

BOARD MEMBER GUYTON: Okay. So that won't be a prolonged process?

FINANCE DIRECTOR SHERMAN: No. Nope.

BOARD MEMBER GUYTON: Because if their water is off and they're trying to get before --

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: -- the Board to get some resolution, I wouldn't want them to be waiting a month or two. Okay. I made a note of this and this is just for my own edification here. Under section, Conduct of -- of a Hearing, page 17, but it goes over to 18 --

FINANCE DIRECTOR SHERMAN: Uh-huh. Uh-huh.

BOARD MEMBER GUYTON: -- (5) -- (5)(e).

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: It says that, "An inability or willing -- or unwillingness to pay as a consequence of permanent or temporary financial hardship of the customer shall not be considered grounds for the reduction of a utility bill or fee." And the word that jumped out to me was the "shall." And I just alluded to senior citizens and others who -- well, not others, but I'm primarily concerned about those on a fixed income, who may not be able to afford the fee but need to become -- but need to come before this Administrative Hearing Board. It is my hope that we won't have the senior citizens in a predicament where they have to come before. But if we do and we're saying "shall," that is definitive that there will not be a reduction or consideration of the fee. I'm not as concerned about the bill as I am about them just having an opportunity to get before this Board to speak. And that "shall" word concerns me. I think the Board needs to have some flexibility to determine whether -- if it's a senior citizen or others that may be in need, who just need to talk to the Board to tell them their situation. So --

CHAIRPERSON DAVIS: Does this apply to water usage?

BOARD MEMBER GUYTON: Yeah. All of this out of the --

CHAIRPERSON DAVIS: All of this is water -- and -- and --

BOARD MEMBER GUYTON: -- utility policy.

CHAIRPERSON DAVIS: -- and -- and here's what I -- what I'm saying, there is a bond covenant as it relates to water.

BOARD MEMBER GUYTON: No, wait, wait.

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER GUYTON: Let's -- let's slow down.

FINANCE DIRECTOR SHERMAN: Uh-huh.

BOARD MEMBER GUYTON: I'm not talking about the water bill. I'm talking about the fee --

CHAIRPERSON DAVIS: That's why I asked the question.

BOARD MEMBER GUYTON: -- to come before the Board.

BOARD MEMBER T. DAVIS: The Board.

BOARD MEMBER GUYTON: And -- and -- and I --

CHAIRPERSON DAVIS: Yeah. Well, that's why I -- I -- I --

BOARD MEMBER GUYTON: Yeah.

CHAIRPERSON DAVIS: -- asked. Okay. But it -- but it further goes on to say that they can establish a payment plan which provides for the (inaudible) --

BOARD MEMBER GUYTON: Yeah, yeah. No. I'm just talking about --

CHAIRPERSON DAVIS: -- basis.

BOARD MEMBER GUYTON: -- allowing --

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER GUYTON: -- people to get before the Board.

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIRPERSON DAVIS: I gotcha.

BOARD MEMBER GUYTON: Yeah. (Inaudible).

FINANCE DIRECTOR SHERMAN: Well, you could -- and I know we haven't set the fee yet, but when we do, you could say, Hey, seniors don't --

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: Okay.

FINANCE DIRECTOR SHERMAN: -- pay the fee. I mean, you know, that's -- that's --

BOARD MEMBER GUYTON: No. I can't --

FINANCE DIRECTOR SHERMAN: -- that's okay.

BOARD MEMBER GUYTON: -- and I want to throw it out there --

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: -- because something is --

FINANCE DIRECTOR SHERMAN: Right. That's okay.

BOARD MEMBER GUYTON: -- adopted and incorporated --

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: -- and then we're backpedaling and trying to say --

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: -- you know, we could've addressed that --

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: -- earlier on. So --

CHAIRPERSON DAVIS: Right.

BOARD MEMBER GUYTON: -- those are my comments, Madam Chair. So whenever the workshop is, my comments are on record. Unfortunately, Mr. Burrs, I'm not the Chair. So I don't -- so you have to direct your --

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: We're -- we're -- we're not going to accept --

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: -- any more comments but -- oh, I'm sorry. Yeah, Mr. Davis. Go ahead. Mr. Davis?

BOARD MEMBER T. DAVIS: Oh, okay. I was waiting for (inaudible) talk. Real briefly, I like which direction we're headed. I think we've all said enough. We got plenty of footage for staff to sit down and take everything back. And so we can come back before the next Utility District meeting to look at what staff has brought before after listening to the entire Board and the property owners that are here today, which are residents as well. And I'm very excited to see what they bring back. I think if we -- anyone in the audience have any more questions, they don't have the chance to speak now, but definitely reach out to staff and add -- add those questions now. It'd be a great idea to get ahead of the curve or reach out to one of us and we'll make sure staff get those questions answered for the next meeting that we have. 'Cause now our Utility District meeting is once a month and we can have this item on a Utility District meeting. I think it'd be very -- very valuable to get this stuff moving in the right direction. But it is time. I'd just like to see what staff is gonna do and I'll see what happens at the very next meeting.

CHAIRPERSON DAVIS: Okay. So is it the consensus -- come on up, Mr. Burrs.

REVEREND WILLIAM BURRS: Madam Chair. Mr. -- Councilman Bruce, what -- what Councilman Bruce said in his last of the comments, he summed it up in a nutshell of what the landlords want and the -- and the comments before. You summed it up completely.

BOARD MEMBER GUYTON: Thank you.

REVEREND WILLIAM BURRS: What the landlords were looking for. And -- and this -- this list -- this form that Mr. Green had is from the City. It wasn't from somewhere he picked up. It's from the City. And I understand we're not here to tell the Council how to deal with the landlord -- I mean, with the -- with their tenants. That's your concern. We're just concerned about our end of it and the other problem. We know -- understand that is a -- Madam Chair, that is a sensitive --

CHAIRPERSON DAVIS: I understand.

REVEREND WILLIAM BURRS: -- situation.

CHAIRPERSON DAVIS: Uh-huh.

REVEREND WILLIAM BURRS: Want you to understand it. But we want you to understand, too, with the landlord, it is a sensitive situation as well. Like Mr. Green and I was -- and I have experienced this. Mr. Green's just pointed out that he has a tenant that is in the process of being evicted. Now consider this tenant being evicted, and the long time, he may not be collecting no money from the tenant. But he can't come to the City and say, Well, I didn't collect the money for X amount of months, so would you all extend -- delete my tax. Go to the insurance company and -- and extend the lady's insurance -- give him a break on his insurance.

So you gotta be a sensitive -- we still got some responsibilities and before he's evicting someone, I can assure you, it was heartbreaking but I had to do it 'cause I had to make some mortgage on some property I had. It was a young lady with her children and her mother sick. I had to make a mortgage. They wouldn't pay me no money. I went to court to have them evicted and the judge asked them, said, "You owe this man some money. You got to pay him." Then he turned to them and said, "How much could you pay him a month?" Guess what they said? Five dollars. That was it. You know? So -- so you got to consider, the landlord could be in a -- in a -- in a -- in a bad situation as well. We are sensitive to the needs of the people but we got some responsibilities as well. We're not here to tell you how to deal with the -- with the -- with the -- with the customers. But just consider, don't put us in the middle of that even.

You summed it up in the last -- in your last comments before. Leave us out of it and y'all work it out with the -- with the -- the -- the -- with the tenants, fine. You know? So we're not here to tell you how to do your business and that (inaudible). Please, don't put the burden on us.

CHAIRPERSON DAVIS: Okay. All right. So I'm -- what I'm hearing from the landlords is they just don't want to be in the middle of it and they are pretty much comfortable with whatever we do as far as increase in the -- the deposits or turn the water off --

BOARD MEMBER T. DAVIS: Right.

CHAIRPERSON DAVIS: -- you know, after a certain period of time.

BOARD MEMBER GUYTON: Oh, Madam Chair --

CHAIRPERSON DAVIS: So --

BOARD MEMBER GUYTON: -- one thing, too --

CHAIRPERSON DAVIS: -- hold on one second. Let me --

BOARD MEMBER GUYTON: Okay.

CHAIRPERSON DAVIS: Okay. And -- Jesus, I've just forgotten it -- my train of thought just --

BOARD MEMBER GUYTON: I'm sorry.

CHAIRPERSON DAVIS: -- that quick. Go ahead, Mr. Guyton.

BOARD MEMBER GUYTON: I wanted staff at our next meeting to bring more information about the smart meters, too.

CHAIRPERSON DAVIS: Yeah. I -- I think that would be great.

BOARD MEMBER GUYTON: Where -- where we can start --

CHAIRPERSON DAVIS: Uh-huh.

BOARD MEMBER GUYTON: -- converting old meters --

CHAIRPERSON DAVIS: Yep.

BOARD MEMBER GUYTON: -- into smart meters and to help us run our operation more efficiently.

CHAIRPERSON DAVIS: Okay. So did I also understand from a consensus from the Board that you do not want a workshop --

BOARD MEMBER T. DAVIS: No.

CHAIRPERSON DAVIS: -- you just want the staff to bring something back at our next --

BOARD MEMBER T. DAVIS: Correct.

CHAIRPERSON DAVIS: -- special Utility District meeting?

BOARD MEMBER T. DAVIS: That's correct.

CHAIRPERSON DAVIS: Correct?

BOARD MEMBER T. DAVIS: Correct.

CHAIRPERSON DAVIS: Okay. All right. So you have your orders and what I would suggest though, for -- for -- for us, to really go through this document again and if we missed something the first time --

BOARD MEMBER GUYTON: Yep. Uh-huh.

CHAIRPERSON DAVIS: -- you know, make sure that we give them our -- our suggestions on this because I know y'all don't want to deal with this anymore, right?

BOARD MEMBER GUYTON: I don't.

CHAIRPERSON DAVIS: Okay. All right. So all right. We got that settled and we're now down to discussion by the executive director.

UTILITY EXECUTIVE DIRECTOR AURIGEMMA: None, Madam Chair.

CHAIRPERSON DAVIS: None? Legal?

DISTRICT ATTORNEY RYAN: Uh-uh.

CHAIRPERSON DAVIS: None? Discussion?

BOARD MEMBER T. DAVIS: Nothing.

CHAIRPERSON DAVIS: What am I doing here?

DISTRICT ATTORNEY RYAN: We done.

CHAIRPERSON DAVIS: We've been done.

ADJOURNMENT

CHAIRPERSON DAVIS: Motion for adjournment.

BOARD MEMBER T. DAVIS: So moved.

CHAIRPERSON DAVIS: Who did this anyway?

(END OF MEETING)

APPROVED:

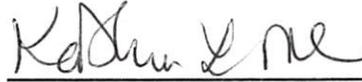
TARDY

BRUCE A. GUYTON
BOARDMEMBER

ATTEST:



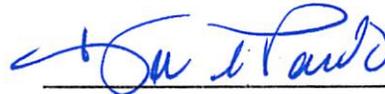
CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK



KASHAMBA L. MILLER
BOARDMEMBER



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



TERENCE D. DAVIS
BOARD MEMBER

MOTIONED BY: _____

SECONDED BY: _____

| | |
|-----------|------------|
| B. GUYTON | <u>AYE</u> |
| K. MILLER | <u>AYE</u> |
| C. THOMAS | <u>AYE</u> |
| D. PARDO | <u>AYE</u> |
| T. DAVIS | <u>AYE</u> |

DATE APPROVED: 04/01/15