

CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT BOARD MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 18, 2015 AT 5:00 P.M.

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

CITY CLERK CALLS TO ORDER

Roll Call

CHAIRPERSON DAVIS: Good evening everyone. Welcome to our regularly scheduled Utility Special District Meeting. Please turn your cell phones to the off or vibrate position. And if you would like to speak on an item, please turn in your cards at this time. Madam Clerk, roll call.

INTERIM DISTRICT CLERK ANTHONY: Chairperson Judy Davis.

CHAIRPERSON DAVIS: Here.

INTERIM DISTRICT CLERK ANTHONY: Chair Pro Tem Dawn Pardo.

CHAIR PRO TEM DAWN PARDO: Present.

INTERIM DISTRICT CLERK ANTHONY: Board Member Bruce Guyton.

BOARD MEMBER GUYTON: Here.

INTERIM DISTRICT CLERK ANTHONY: Board Member Cedric Thomas.

BOARD MEMBER THOMAS: Here.

INTERIM DISTRICT CLERK ANTHONY: Board Member Terence Davis. City Manager Ruth Jones. City Manager Ruth Jones.

CITY MANAGER JONES: Present.

BOARD MEMBER GUYTON: Oh, I'm sorry.

INTERIM DISTRICT CLERK ANTHONY: Executive Director Louis Aurigemma.

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.

RANDY SHERMAN: Here.

CHAIRPERSON DAVIS: Okay. Let's all stand for a moment of silence and the Pledge led by Mr. Guyton.

Invocation

Pledge of Allegiance

(Everyone stood for a moment of silence and the Pledge of Allegiance led by Board Member Guyton.)

AGENDA APPROVAL

Additions, Deletions, Substitutions

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

CITY MANAGER JONES: No, Madam Chair.

Adoption of Agenda

CHAIRPERSON DAVIS: Okay. Is there a motion to approve the agenda?

BOARD MEMBER GUYTON: So moved.

BOARD MEMBER THOMAS: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk.

INTERIM DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: Yes.

INTERIM DISTRICT CLERK ANTHONY: Board Member Thomas.

BOARD MEMBER THOMAS: Yes.

INTERIM DISTRICT CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM DAWN PARDO: Yes.

INTERIM DISTRICT CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

INTERIM DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Okay. We're now down to the consent 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.

CHAIRPERSON DAVIS: Would anybody like to pull a consent agenda item? Okay. I hear none. Is there a motion to adopt the consent?

CHAIR PRO TEM DAWN PARDO: So moved.

BOARD MEMBER GUYTON: Second.

CHAIRPERSON DAVIS: Okay. Madam Clerk?

INTERIM DISTRICT CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

INTERIM DISTRICT CLERK ANTHONY: Board Member Guyton.

BOARD MEMBER GUYTON: Yes.

INTERIM DISTRICT CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM DAWN PARDO: Yes.

INTERIM DISTRICT CLERK ANTHONY: Chair Davis?

CHAIRPERSON DAVIS: Yes.

INTERIM DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIRPERSON DAVIS: Okay. We're now down to presentations.

1. MINUTES OF THE DECEMBER 3, 2014 UTILITY SPECIAL DISTRICT MEETING
2. MINUTES OF THE OCTOBER 1, 2014 UTILITY SPECIAL DISTRICT MEETING
3. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE OF ONE (1) 2015 FORD EXPLORER 4x4 FOR APPROXIMATELY \$26,963 FROM DON REID FORD IN MAITLAND, FLORIDA, UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT #14-22-0904;

BEGINNING OCTOBER 01, 2014 THROUGH SEPTEMBER 30, 2015;
AND THAT THE UTILITY DISTRICT BOARD AUTHORIZE THE
DISTRICT FINANCE DIRECTOR TO MAKE PAYMENT FROM THE
CAP: VEHICLE LINE ITEM NO. 411-1417-536-0-6451; AND MAKE
PAYMENT FROM SAME; AND PROVIDING AN EFFECTIVE DATE

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.

CHAIRPERSON DAVIS: Let's go -- let's go to, uh, comment cards first. Henry Taylor. After Mr. Taylor is Dorothy Gay.

HENRY TAYLOR: Henry Taylor, 8355 Woodsmuir Drive.

CHAIRPERSON DAVIS: Good evening, sir.

HENRY TAYLOR: Good evening. I've heard your discussion and the last meeting that we were in, when the landlords came in and had this discussion with you in the meeting, we were told that you -- we would -- you would be very expeditiously working on this item. And it has been over a month and we still waiting. We told you or talked to you about everything that we wanted to know about and it was left up to you as a Board to go ahead and take care of the situation. It could've been taken care of by now. I don't know what is being happening. I don't know who's kicking the can down the road or whatever you might want to call it, but I think that all that this Board needs to do is to get with your Director of the Water Utilities and get this straightened out and come back with the decision and stop having all of these meetings. We talked about that last time. We're tired of meetings. We've already discussed what needs to be done.

All you need to do is to make a decision and that could be it. You want to meet, meet, meet, meet, meet and that's not necessary. Let's make a decision. Stand up for what's right. Make a decision. Take that document, take the landlords off of it and bring it back and get it approved. That's all you need to do and stop having us come out here trying to find out what's going on. Every time you turn around, you want to have a meeting, have a meeting. Let's stop the -- all this meeting and do your job. Thank you.

CHAIRPERSON DAVIS: Miss Gay. After Miss Gay is Reverend Burrs.

DOROTHY GAY: Good afternoon.

CHAIRPERSON DAVIS: Good afternoon, ma'am.

DOROTHY GAY: Dorothy Gay, 720 West 6th Street. I concur and it seems to be like we are procrastinating. And as I said, we need to take the landlord's recommendation because it's becoming a joke to you because you consistently passing the buck to whoever did what, who did this, who didn't do this? We need to stop. Techniques, procedures, always against the landlords. Holding -- as I read my brochure, holding arms on landlords. Something, the recommendations that we gave, should have been proven, approved, successfully at this time, giving us results. We want results.

As he said, we don't need to meet. We've met. At this point, allowing -- and overlooking us, against all policies -- and I always go back to Florida Statute and I don't think nobody even concerned about Florida Statute, but you need to be. However, at this time, you seem to be at a fog with landlords. We are taxpayers. We pay our monies. I don't care -- like, it's always the tenant is right. The tenant is this. Landlords, you can just pay the debt. I don't care how many times I fine you and hopefully nobody's putting mine against a lien. Hopefully not. Because at that point, we know what happens after that point.

I take myself very seriously. Every landlord here is very serious about why we are here and how we continuously stress to you something needs to be done. Take us out of the whole segment -- form -- that he brought with him. Take us out -- and you approved. Take it out. Only persons need to be there would be tenants. Let them sign it. Stop threatening me that you're going to put a lien on our property. Let that not be a official threat, quote, 'cause I've heard it come from employees of the City of Riviera Beach. So something needs to change. I get very emotional 'cause I want to see results. I don't, like you say, we don't need to sit and meet, to meet, to meet. We need to get it done. If you don't want us, like they say (inaudible) on the pot, you need to really -- see about to reflect back to my upbringing.

DISTRICT ATTORNEY RYAN: This is outrageous. I mean --

DOROTHY GAY: So to keep it very nicely said, please act.

CHAIRPERSON DAVIS: Reverend Burrs and then Mrs. Clementine Butler.

REVEREND WILLIAM BURRS: Madam Chair, Reverend Burrs. Council, Mayor, City Manager.

CHAIRPERSON DAVIS: Good evening, sir.

REVEREND WILLIAM BURRS: And etcetera. I think Mr. Guyton's -- Councilman Guyton had a good point. And Mr. Thomas, all it take is three votes right now that says move the landlords from this aquarium [sic] and start fresh with the tenants. Now Mr. Thomas was right in saying that we were supposed to have a meeting and this meeting was cancelled without the Board's recommendation or knowing anything about it. Let me assure you all, remember, I worked for the City for 30 years. Anybody violate a direct order was suspended or fired or disciplined some way or another. That's a fact. So now if I was a employee and a department head or whatever, and I used to be a department head, I could take a tongue-lashing as long as you don't fire me and as long as you don't suspend me. So as long as you all sit there and complain about these issues, what is going -- or being changed without

your knowledge, it could continue because the peoples who are doing it is -- don't care because all y'all gonna do is tongue-lash and complain and nothing's being done. That's a fact.

So all three of y'all got to do right now is make a motion, telling the Utility Director, Move the landlords from this letter -- from this issue -- and we'll start fresh in trying to figure out how we could deal with the tenants. You could do that right now. So you don't have to have another meeting to do that. So -- so please, ma'am, now it don't affect me as much it does some of the others. Because all I have is one tenant at this particular time and they're taking care of their bill and etcetera. But it's still in my name and I'm not going to pay it if they leave and leave some water account there. But all it take -- and I know for a fact -- one of y'all make a motion, other one second, three votes, move the landlords from it and we'll start fresh from there and that will take care of it. Simply put.

CHAIRPERSON DAVIS: Thank you, sir.

REVEREND WILLIAM BURRS: And -- and please, deal with these peoples who not following directions. Stop tongue-lashing and suspend some of these people so if you tell 'em to do something and they don't do it, then you suspend 'em. I -- I was a supervisor. When peoples did that they was reprimanded when I was with the City. Now they do what they wanna and they get tongue-lashed; they keep doing the same thing over and over again.

CHAIRPERSON DAVIS: Miss Butler. After Miss Butler is Rodney Roberts.

CLEMENTINE BUTLER: Good afternoon.

CHAIRPERSON DAVIS: Good evening, ma'am.

CLEMENTINE BUTLER: I'm Clementine Butler. Address is 865 West 6th Street -- 2nd Street, in Riviera Beach. I'm here to talk about the park over in -- in -- in our section, the Sadie McCray Park that recently been named that. As a member of the Southside Coalition, we have been asking for various things for the park. (Inaudible) for years we have quite a few kids over there during the week, at least Tuesday, Wednesday and Thursday. And they're there playing basketball -- we have a basketball team. We have younger girls and boys doing craft work, etcetera. Playing cards and etcetera in the park on a regular basis and we want some improvement in our park. We need more tables so -- because we serve each Thursday to the children and the adults that are there. And also we need a bathroom there for that park. No facilities for the kids and some of them live a distance from home. And Miss Dawson said she's been allowing them to go there to her -- her place on 6th Street. The park is on 5th -- between 5th and 4th Street.

And we're very glad for the -- the tradition of having the park renamed for Mrs. McCray. I can recall in the 50s when I moved out there, we didn't have the -- the firehouse. That's what it was called then. And when it was built, we enjoyed going there for activities and we want to continue to keep the park open for our young people.

Mr. Thomas has been there and Mr. Davis has been there and also Miss Davis has been out to the park. So we just ask you to give us some consideration for things that we need at the park.

CHAIRPERSON DAVIS: Thank you, ma'am. Rodney Roberts.

RODNEY ROBERTS: Good evening.

CHAIRPERSON DAVIS: Good evening, sir.

RODNEY ROBERTS: How y'all doing?

CHAIRPERSON DAVIS: State your name and address for the record.

RODNEY ROBERTS: Rodney Roberts, 1581 West 14th Street, Federal Gardens. I was at the post office the other day and I ran into a gentleman, an elderly gentleman, and he told me that he had voted for me. Didn't know who he was but he said he voted for me when I ran one time. And we got into a conversation about the utilities and the water bills and some other stuff. And I let him know that Riviera Beach doesn't wholly control its water anymore. I let him know that, I guess, when it switched over to being a Utility District, I guess private interests have a share in Riviera Beach's water. Meaning that, I guess, some of the things that you might be asked to do right now based upon persons that-- that have a interest in our Utility District, you can't just make those decisions like Reverend Burrs just said. Just go ahead and three of you make a decision and carry it forward.

So if I -- if I told him wrong, if Riviera Beach does wholly control its Water Department and there are no private interests that assist in that, straighten that out, please, 'cause I wouldn't want to be telling anybody any false information.

Another thing you could maybe straighten out for me, why is it when we pay our bills, why do -- does it -- why does it go all the way to Orlando in order to pay our bills?

This thing with the -- with the landlords, I'm not against anyone -- and it might cost me some votes or something if I do decide to run for City Council this time around, but people need to -- I feel like people need to take personal responsibility for their business and being a landlord is -- is -- is business. So I've seen practice where landlords keep the water in their name and put the, I guess, that the -- the rent might be a little bit higher -- you might have to pay a little bit higher rent -- but at the end of the day, you don't have to worry about, I guess, what they're going through right now as far as -- so I guess at some point, certain things are just bad deals. And we try to, I guess, improve on those deals as much as possible. Oh, one more thing.

CHAIRPERSON DAVIS: Your time is up, sir.

RODNEY ROBERTS: I gotcha. In the Utility building this Thursday, there'll be a candidates forum at 6:30, Park Manor (inaudible).

CHAIRPERSON DAVIS: Okay. Thank you very much, sir.

RODNEY ROBERTS: Thank you.

CHAIRPERSON DAVIS: All right. So now we're down to --

BOARD MEMBER THOMAS: Madam Chair.

CHAIRPERSON DAVIS: -- Board discussion --

BOARD MEMBER THOMAS: I -- I understand, but would you please -- I'm sorry. You didn't recognize me, but would you -- I -- I don't wanna to -- to -- to, you know, I mean, everybody knows he's a -- a career candidate against me so I don't want to debate him in that. But would somebody else please give the correct information 'cause that was totally false.

CITY MANAGER JONES: Okay. Yeah. That's why I pulled the mic. Madam Chair.

CHAIRPERSON DAVIS: Go ahead, Miss Jones.

CITY MANAGER JONES: In response to Mr. Roberts and his desire for clarification, the Utility Special District is an enterprise fund of the City of Riviera Beach. There are no private entities involved in the water distribution here in the City. So it is an enterprise fund but it is controlled by the City and that's -- this Council sits as the Board.

The other thing was, as it relates to the bills, in order -- we were not getting any additional staff in Utility Billing and so we brought forward an item so that the actual collection of the money that's paid for utility bills is sent to another location. It's kind of like you might have a bill with a local store, but if you look at where that bill is mailed in order to be paid, it's not in your local town to pay that bill. It's an entity and that's all they do is process these and it was more reasonable financially for us to have someone else do that than to try to go out and fill another position in order to handle the volume of the 13,000 plus accounts that we have that come in every month for payment.

One last thing, there was a directive to redo the form. What I just handed to you is a copy of that form that also allows, if the landlord chooses to accept responsibility, to use a driver's license, not a Social -- not a Social Security, uh, card, uh, number, as well as the -- we need to -- you got to amend the policy. We couldn't just amend the form. And so --

CHAIRPERSON DAVIS: So it'll all be brought back at the same time.

CITY MANAGER JONES: -- and all of that will be brought back. But I just wanted you to see that this is the form that's (inaudible) and it's being used currently.

CHAIRPERSON DAVIS: Okay. All right. Anything from the Board?

BOARD MEMBER THOMAS: I have a question on the form, Madam Chair, if you're going to allow us. If not, then we'll wait -- I'll wait.

CHAIRPERSON DAVIS: Go ahead, sir.

BOARD MEMBER THOMAS: Does this take the landlords out of the equation completely or it's just saying instead of a Social Security number, you can use a driver's license number?

CITY MANAGER JONES: The actual policy takes them out of the equation.

BOARD MEMBER THOMAS: Okay. Well, I'm -- I'm good. I'm ready to move if -- if you want to do that.

CHAIRPERSON DAVIS: If you want to do what at this point?

BOARD MEMBER THOMAS: I -- I mean, I will. If -- if it takes 'em -- if it takes 'em -- the policy, the new policy that I haven't seen yet --

CITY MANAGER JONES: And that's what we'll talk about on --

CHAIRPERSON DAVIS: The --

CITY MANAGER JONES: -- well, you'll have it for the 24th.

CHAIRPERSON DAVIS: Yeah.

BOARD MEMBER THOMAS: Okay. Well, I'd rather make a motion on a policy that I've seen.

CITY MANAGER JONES: Okay.

CHAIRPERSON DAVIS: Yeah.

CITY MANAGER JONES: The 25th. I'm sorry.

CHAIRPERSON DAVIS: On the 25th, yeah.

BOARD MEMBER THOMAS: Okay.

PRESENTATIONS

4. PRESENTATION OF AWARD BY GRACE JOHNS, PH.D, VICE CHAIR OF THE FLORIDA SECTION OF THE AMERICAN WATER WORKS ASSOCIATION (FSAWWA)

EXECUTIVE DIRECTOR AURIGEMMA: Well, you made the introduction for Dr. Johns so I'll have her come up. And in the -- in the meantime, I would like to bring up my supervisory staff, Allen Davis, the Water/Sewer System Superintendent; David Danford, the Water Treatment Plant Superintendent; uh, Larry Brown, the Assistant Water/Sewer Superintendent; Lavette Battle [phonetic], the Interim Chief Water/Sewer Mechanic; and Joe Jackson, the Interim Chief Water/Sewer Mechanic. Thank you.

CHAIRPERSON DAVIS: Okay.

DR. GRACE JOHNS, AMERICAN WATER WORKS ASSOCIATION: Good afternoon. It's a pleasure to be here.

CHAIRPERSON DAVIS: Okay. Please state your name and address for the record, sir -- ma'am.

DR. GRACE JOHNS, AMERICAN WATER WORKS ASSOCIATION: Yes. My name is Grace Johns and I am Vice Chair of the American Water Works Association, Florida Section.

CHAIRPERSON DAVIS: Okay.

DR. GRACE JOHNS, AMERICAN WATER WORKS ASSOCIATION: It's my pleasure to be here. I just want to tell you a little bit about the American Water Works Association. Our mission is to be the authoritative resource on safe water as we unite all of the water community professions to protect public health and to provide safe and sufficient water for all. That's what we've been doing for the past 150 years.

It is my privilege to be here today to present the City of Riviera Beach Utility District with our prestigious Water Distribution System Award. This award recognizes the City of Riviera Beach Water Utility Staff as outstanding performers and leaders in maintaining high water quality, in keeping sound operational records, in maintenance, professionalism, safety and emergency preparedness. This award is presented to one outstanding utility in each of up to eight size classes on behalf of our 2,500 members here in Florida. This year, seven utilities received this award and we congratulate the City's Utility District for their hard work and their leadership in providing safe and reliable tap water 24 hours a day, every minute of the day, seven days a week, 365 days a year, we all can very confidently turn on our tap and know that water -- not only is water going to come out, but it's going to be safe to drink and it's always going to be there and it's even going to taste very good.

So the -- the -- the Water Utility District here should be very, very proud of themselves. You all should be very proud of them. We -- we at AWW are very proud of them. So at this time, is it -- it's with great pleasure that I present the Water Distribution System Award to the City of Riviera Beach Utility District for their outstanding performance in 2014. (Applause).

CHAIRPERSON DAVIS: Wow. Woo hoo.

DR. GRACE JOHNS, AMERICAN WATER WORKS ASSOCIATION: We thank you all.

CHAIRPERSON DAVIS: Hold on.

CHAIR PRO TEM DAWN PARDO: All right.

CHAIRPERSON DAVIS: All right.

CHAIR PRO TEM DAWN PARDO: Congratulations.

CHAIRPERSON DAVIS: Congrats.

BOARD MEMBER THOMAS: Hey, somebody could've taken the picture so David could've been in the picture.

CITY MANAGER JONES: That's what (inaudible).

BOARD MEMBER THOMAS: You're part of the team, too.

CHAIRPERSON DAVIS: (Inaudible) one of the guys.

BOARD MEMBER THOMAS: Don't -- don't leave Mr. Danford out.

CITY MANAGER JONES: Okay. That's what I just told (inaudible).

BOARD MEMBER GUYTON: Yeah.

CITY MANAGER JONES: You need to take one with him in it.

CHAIRPERSON DAVIS: Come on this side so we can see you.

CITY MANAGER JONES: Oh, yeah. Come out front.

CHAIRPERSON DAVIS: And then once y'all finished, turn this way.

DR. GRACE JOHNS, AMERICAN WATER WORKS ASSOCIATION: Okay. Can I fit in here?

UNIDENTIFIED SPEAKER: Yes.

BOARD MEMBER GUYTON: Photo bomb it.

UNIDENTIFIED SPEAKER: You know what --

CHAIRPERSON DAVIS: Okay. Don't move. Just -- now turn this way. Here you go. One, two, three. Thank you very much.

BOARD MEMBER THOMAS: Is there a -- gentleman, it's a place in my office that you can hang that. No. I'm just kidding. You definitely deserve this, sir. You put it in your office.

BOARD MEMBER GUYTON: Madam Chair.

CHAIRPERSON DAVIS: Yes, Mr. Guyton.

BOARD MEMBER GUYTON: I would like to thank all of the utility workers who are out there on the ground doing an outstanding job. I, and I'm sure the rest of my colleagues, are very proud of the work that you do and it's evident by the recognition that independent agencies are recognizing you. And it makes this whole city look good. And for the record, I do drink tap water.

Mr. Aurigemma, I know that this could not have happened without your leadership. There needs to be someone at the helm that understands this process --

CHAIR PRO TEM DAWN PARDO: Yeah.

BOARD MEMBER GUYTON: And -- and I know that you do and --

CHAIRPERSON DAVIS: Absolutely.

BOARD MEMBER GUYTON: -- I'm proud to have you as an employee here and I just want to say it publicly that you need to keep up the good work. And I know that the guys on the ground are doing a good job as well. Thank you.

CHAIRPERSON DAVIS: Ditto. Any other comments?

BOARD MEMBER THOMAS: Yeah.

CHAIRPERSON DAVIS: Mr. Thomas.

CHAIR PRO TEM DAWN PARDO: Absolutely.

BOARD MEMBER THOMAS: I definitely echo the sentiments of Mr. Guyton. I think that is a -- a wonderful job.

CHAIR PRO TEM DAWN PARDO: Uh-huh.

BOARD MEMBER THOMAS: I know for a fact that those guys come out and no matter what time it was. I know that they came out on some holidays and some other things. They're dedicated and I truly do appreciate the hard work of those -- those men and women in your Department. And you are the leader, so when there's something go wrong, you gotta take the blame for that. But something's going right, so you also need the joy, you know, and the kudos, so atta boy.

EXECUTIVE DIRECTOR AURIGEMMA: Thank you.

CHAIRPERSON DAVIS: Fantastic. Okay. Miss Pardo, any -- you wanted to say anything?

CHAIR PRO TEM DAWN PARDO: Just, yeah. You guys are doing a great job. Mr. Aurigemma, you know, it starts with you. You're the leader there and you are a leader. And the men and women out on the field, you know, you guys are the best. So you guys are making Riviera Beach look good and for that I thank you for all of your hard work.

CHAIRPERSON DAVIS: And I concur with everything said. Absolutely.

BOARD MEMBER THOMAS: And don't -- don't let those guys leave after the meeting. I got a problem I need you guys to deal with.

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER THOMAS: I'm serious, though.

CHAIRPERSON DAVIS: We're --

BOARD MEMBER THOMAS: Yeah.

CHAIRPERSON DAVIS: -- okay. We're now down to -- we're at -- we're at the end of our regular agenda and now we are at the discussion by the executive director. Number 5.

REGULAR AGENDA

END OF REGULAR AGENDA

DISCUSSION BY THE EXECUTIVE DIRECTOR OF UTILITIES

5. EAST CENTRAL REGIONAL WATER RECLAMATION FACILITY (ECR) UPDATE.

EXECUTIVE DIRECTOR AURIGEMMA: Yes. Good evening, Chair Davis --

CHAIRPERSON DAVIS: Uh-huh.

EXECUTIVE DIRECTOR AURIGEMMA: -- and members of the District -- Utility District Board. I have two items for this evening. Is this -- are you hearing me? Okay.

CITY MANAGER JONES: Pull it closer to you now.

EXECUTIVE DIRECTOR AURIGEMMA: I -- there are two items. The first is an update on what's happened at the ECR Board or at the ECR. On Saturday, January 17th, there was a fatality at the ECR, at the -- the Wastewater Treatment Plant. And last Wednesday we did have an ECR Board meeting that -- that -- in which we got an update on the occurrences of January 17th. And, a couple of things happened.

Number one, the ECR Board approved up to \$200,000 from reserves for additional security and investigation of -- of the event that -- the fatality that happened. We don't have any conclusions yet because it is still under police investigation. So I can't tell you what's going on. There's still some forensics that are being investigated, etcetera. So at that point, that's where we are with -- with the actual event happening.

Also at the ECR Board meeting there was an update on some legal matters. And Miss Ryan was at the ECR Board meeting and she did have a discussion with both the ECR Board attorney and the deputy city attorney from the City of West Palm Beach. So with respect to any legal aspects, I'll turn this discussion over to her so that she can fill you in on that.

DISTRICT ATTORNEY RYAN: I don't really want to fill them in on anything.

EXECUTIVE DIRECTOR AURIGEMMA: Well, yeah --

CHAIR PRO TEM DAWN PARDO: Well, Madam Chair.

DISTRICT ATTORNEY RYAN: It -- it -- it is under investigation. One of the issues that we have -- I'll say this -- is that the ECR comprises of five different entities. We all received notice letters from the family of the victim but the victim worked specifically for the City of West Palm Beach, not for the ECR. The ECR does not have any employees. So there are some issues with us trying to figure out where the defense lies. Is it with West Palm Beach or is it with the ECR itself? Once those preliminary discussions have been had, we will be sending a written update to all of the different entities, municipalities and the County that are included so that you all know where we are.

But right now, we did receive a notice letter of a lawsuit. Our City was not the only one and frankly, I think that the litigants are trying to figure this out as well as we are.

CHAIR PRO TEM DAWN PARDO: Madam Chair?

CHAIRPERSON DAVIS: Yes, Miss Pardo.

CHAIR PRO TEM DAWN PARDO: Okay. So you're saying right now, you don't think we have any exposure to this? It's -- the -- the fault lies with the City of West Palm Beach?

DISTRICT ATTORNEY RYAN: That is -- when -- that is the way --

CHAIR PRO TEM DAWN PARDO: Does the City of West Palm Beach manage the ECR?

DISTRICT ATTORNEY RYAN: Yes.

CHAIR PRO TEM DAWN PARDO: Okay. So they manage it and we have a Board of Directors where we sit on -- are you still the Chair --

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am.

CHAIR PRO TEM DAWN PARDO: -- Mr. Aurigemma?

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am.

DISTRICT ATTORNEY RYAN: Correct.

CHAIR PRO TEM DAWN PARDO: Okay.

DISTRICT ATTORNEY RYAN: And does a great job, by the way.

CHAIR PRO TEM DAWN PARDO: Okay. All right. So we don't have any employees over there? I just want to make sure and as soon as this happened, I did reach out to you --

DISTRICT ATTORNEY RYAN: Right.

CHAIR PRO TEM DAWN PARDO: -- asking what our exposure was.

DISTRICT ATTORNEY RYAN: Right. Well, it is an -- it's an interesting issue because, as I said, it, uh, the person -- the victim was an employee of West Palm's. And they have

Worker's Compensation, so it's going to be their position that they can't be sued in the manner that --

CHAIR PRO TEM DAWN PARDO: Okay. So does the EC -- the ECR Board, do you set certain standards at the ECR or, again, that is West Palm Beach, they're responsible for setting standards and the -- the procedures -- policy and procedures.

EXECUTIVE DIRECTOR AURIGEMMA: As -- as Miss Ryan mentioned, the -- the -- we -- there's five different entities --

CHAIR PRO TEM DAWN PARDO: Sure.

EXECUTIVE DIRECTOR AURIGEMMA: -- on the ECR Board.

CHAIR PRO TEM DAWN PARDO: Right.

EXECUTIVE DIRECTOR AURIGEMMA: However, they are -- the City of West Palm Beach operates the Wastewater Treatment Plant, thereby this -- the employees at the ECR are technically --

CHAIRPERSON DAVIS: West Palm.

EXECUTIVE DIRECTOR AURIGEMMA: -- City of West Palm Beach employees. Very similar to the Utility District where we have our own district, we have our own Board, but all the employees, including myself, we're employees of the City of Riviera Beach. So --

CHAIR PRO TEM DAWN PARDO: Uh-huh.

EXECUTIVE DIRECTOR AURIGEMMA: -- there is a similarity there.

CHAIR PRO TEM DAWN PARDO: All right. So does your Board set any policy and procedures --

EXECUTIVE DIRECTOR AURIGEMMA: Well, we -- we've --

CHAIR PRO TEM DAWN PARDO: -- for the people working inside the ECR?

EXECUTIVE DIRECTOR AURIGEMMA: They follow the City of West Palm Beach --

CHAIR PRO TEM DAWN PARDO: Okay.

EXECUTIVE DIRECTOR AURIGEMMA: -- rules and regulations for Human Resources.

CHAIR PRO TEM DAWN PARDO: Okay. Fine. So you'll continue to keep us up on this?

DISTRICT ATTORNEY RYAN: We will.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am.

CHAIR PRO TEM DAWN PARDO: Okay.

DISTRICT ATTORNEY RYAN: In writing.

CHAIR PRO TEM DAWN PARDO: All right.

CHAIRPERSON DAVIS: Okay? Is that the answer --

EXECUTIVE DIRECTOR AURIGEMMA: Okay. And my second item is I'm requesting a Special Utility District meeting for Monday, March 2nd, 2015, starting at 5:30 to discuss the Utility District policy for utility services. And I would like your consensus on -- on that particular date.

CHAIRPERSON DAVIS: Is that it? Okay. Before we go any further, we have -- I'm sorry.

DISTRICT ATTORNEY RYAN: So is that a consensus?

CITY MANAGER JONES: No. I was just trying to figure out when -- 'cause I know people are leaving and that might not be convenient and that's what -- that's why we wanted the consensus.

CHAIR PRO TEM DAWN PARDO: Yeah. I don't think I'm gonna be here.

CITY MANAGER JONES: Okay.

CHAIRPERSON DAVIS: What was that timeframe again?

DISTRICT ATTORNEY RYAN: It's March 2nd.

CITY MANAGER JONES: March 2nd.

CHAIRPERSON DAVIS: Yeah. I won't be here either.

BOARD MEMBER GUYTON: Right before Palm Beach County (inaudible).

CHAIR PRO TEM DAWN PARDO: Yeah. Palm Beach County.

DISTRICT ATTORNEY RYAN: Okay. So nobody's gonna be here.

CITY MANAGER JONES: Okay. 'Cause we tried to get, like, next week and it was difficult and I know we need to go ahead and address this issue based on the comments --

CHAIRPERSON DAVIS: You might want to call a Special Meeting.

BOARD MEMBER THOMAS: Well, I mean, it's -- Madam Chair, I'm sorry.

CHAIRPERSON DAVIS: Yes, Mr. Thomas.

CHAIR PRO TEM DAWN PARDO: Can't do it next week?

BOARD MEMBER THOMAS: It's been -- it's been since February 4th. I'm a little offended that the meeting February 4th was cancelled and then this issue was not on this particular, you know, agenda. It seems like this can is getting kicked down the road on purpose when everybody knows that this is an issue that we're supposed to be addressing. So, of course, everybody's gone the first week of March, like, everybody is every year the first week of March. So that wasn't even a realistic date to even bring up, you know? So it needs to be addressed and it just needs to be done. So whatever the next available meeting is, it needs to be addressed. And I -- I don't really want to see a meeting cancelled without the Board's, you know, consent of it. You know? February 4th is when I told these landlords and the other citizens that the meeting would be for these questions and these -- these comments. It was cancelled without any reasoning. I just got an -- an email saying that the meeting was cancelled. And then it's here again being -- it was supposed to be discussed last meeting and that meeting was cancelled and now, here we go again, we're not gonna discuss it now. We obviously can't discuss it on March 2nd. Then the following week is going to be a busy week for the majority of us as well. You know, we're going now into mid-March, maybe the beginning of April for something that I don't know why we haven't discussed yet. So I'm available whenever you want to make it, but I'm -- I'm really bothered that this is getting kicked down the road the way it is.

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: Mr. Davis.

BOARD MEMBER T. DAVIS: Has -- has there been a reason given to why -- who ordered this to be cancelled? Did that come from staff or did it come from --

CHAIRPERSON DAVIS: It didn't come from me.

BOARD MEMBER T. DAVIS: Well, who did it come from?

CITY MANAGER JONES: No. The -- the -- the meeting that he's talking about which is the first meeting in February.

BOARD MEMBER T. DAVIS: I recall.

CITY MANAGER JONES: And at that meeting, at that time, there were no agenda items for action and we had not, at that point, completed revising the document and getting the proper reviews so we could have something back to recommend to you. So with no business to conduct, then that was why there was -- because we knew this particular topic is probably going to take more than the 30 minutes allotted for this meeting. And so that's why you need a meeting so that you can do it minimum of an hour or longer if we possibly can.

BOARD MEMBER T. DAVIS: So what you're telling me is you changed it. (Inaudible).

CITY MANAGER JONES: I -- yeah. There was nothing to act on. We didn't have any agenda items.

BOARD MEMBER T. DAVIS: So who changed it, the meeting?

CITY MANAGER JONES: So that's why there was a email that it was cancelled 'cause there were no agenda items.

BOARD MEMBER T. DAVIS: I know. But if we got one item that is very viable to the community, we can -- that's something that needs to be addressed because we don't meet but once a month. And I'd like to know why it keeps getting kicked down the road. That's what I want to know. And I don't want you to keep (inaudible) for others if others are involved in this process. If someone is changing these meetings, they need to stand up and say it now and don't hide behind the City Manager.

BOARD MEMBER THOMAS: Madam Chair.

BOARD MEMBER GUYTON: Madam Chair.

CHAIRPERSON DAVIS: Let me go to Mr. Guyton and then I'll come to you, Mr. Thomas.

BOARD MEMBER THOMAS: Yes, ma'am.

BOARD MEMBER GUYTON: Let me just say that we -- first of all, there's no evidence that somebody else has been changing the meetings. None whatsoever. But we did have this on the agenda for discussion. We discussed it an evening when Mr. Thomas said that he wanted to meet with the landowners. But we were to discuss it, ready to vote. Mr. Thomas said, Well, I have to meet with the landowners so -- or the -- I mean, the landlords. So at that time, he left the meeting. The meeting proceeded on. We discussed these issues. I was ready to vote that night --

CHAIR PRO TEM DAWN PARDO: Is that on your (inaudible)?

BOARD MEMBER GUYTON: -- and move this forward. But Mr. Thomas had an engagement that he wanted to attend to and then -- now we're trying to get our schedules consistent but the inference that somehow it's been calculated, there's no evidence of that and I don't want that assertion to be out there. I was prepared then; I am prepared now. And whenever it comes up, I'm prepared. So, you know, it is what it is. Sometimes schedules don't mesh and the first part of March, everyone is always in -- up in Tallahassee and -- but this issue is going to be dealt with. We all know it's important and there -- there needs to be a time where there is more than 30 minutes that everyone has in order to articulate their concerns. So I'm prepared whenever the rest of the Board or at least three Board members are ready.

BOARD MEMBER T. DAVIS: Madam Chair.

CHAIRPERSON DAVIS: Mr. Thomas and then back to Mr. Davis.

BOARD MEMBER THOMAS: Okay. Thank you. First off, that meeting that we had, I asked to be originally in January. I asked to be postponed because the meeting, I think, was on a Tuesday and I was gonna meet with the land -- or Wednesday and I was going to meet with the landlords and property owners on Thursday. And just out of consideration for what they might say, I wanted to be able to bring it back to the board to discuss. That was in January. I told them at that point, that the meeting that was scheduled for February 4th, we will discuss

this. February 4th meeting was cancelled without any knowledge of why. I just heard the Manager state that there was no action items but it still doesn't mean that we can't have a meeting to discuss whatever issues that we may have had. So is there -- is there a reason why it's being cancelled? I don't know but what I'm here to offer is if -- if we're having a CRA meeting next Wednesday, why don't we bring this item before the next CRA meeting and to me, that will probably remedy it -- remedy the -- the issue.

CHAIRPERSON DAVIS: Well, you know, actually what -- what happened is you made a motion to postpone.

BOARD MEMBER THOMAS: Yes.

CHAIRPERSON DAVIS: And --

BOARD MEMBER THOMAS: It failed.

CHAIRPERSON DAVIS: -- there was no second --

BOARD MEMBER THOMAS: Uh-huh.

CHAIRPERSON DAVIS: -- and it failed. When you left, the Board gave the direction to Mr. Aurigemma to bring us something back that took the landlords out of the equation. Okay? I don't know if y'all had it ready on the 4th or not. I -- I have no idea. But, you know, it is what it is right now. And as soon as we can bring this back, when it -- when everybody is here, that would be wonderful. So when is a date that's good for everybody to have a Special Meeting?

BOARD MEMBER THOMAS: Next Wednesday?

CHAIR PRO TEM DAWN PARDO: The 28th?

CITY MANAGER JONES: Next Wednesday:

CHAIR PRO TEM DAWN PARDO: Next Wednesday?

CHAIRPERSON DAVIS: Next Wednesday? And we need an hour?

CITY MANAGER JONES: Uh-huh.

CHAIRPERSON DAVIS: Okay.

CITY MANAGER JONES: I think you might need at least an hour.

CHAIRPERSON DAVIS: Okay. So let's do it next Wednesday. All right?

CITY MANAGER JONES: So we will advertise a Special -- Special -- Utility Special District meeting for next Wednesday, February 28th, at 4:30.

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER THOMAS: Can we do it at 4:00?

UNIDENTIFIED SPEAKER: It --

CHAIRPERSON DAVIS: 4:00?

BOARD MEMBER THOMAS: Just in case.

CHAIR PRO TEM DAWN PARDO: You mean February 25th?

CITY MANAGER JONES: 25th, I'm sorry. February 25th at 4:00, and we'll advertise that.

CHAIRPERSON DAVIS: Um --

CITY MANAGER JONES: We're gonna do 4:30 for you (inaudible).

CHAIRPERSON DAVIS: 4:00. I'm good. All right. Okay. So now we're going to move on to discussion and recommendations by the board. No.

DISCUSSION AND RECOMMENDATIONS BY DISTRICT BOARD

CHAIRPERSON DAVIS: Okay. So nothing from the Board? Is there a motion for adjournment?

ADJOURNMENT

BOARD MEMBER GUYTON: So moved.

CHAIRPERSON DAVIS: Okay.

BOARD MEMBER THOMAS: Second.

CHAIRPERSON DAVIS: All right. We're going to go right into our regular City Council meeting.

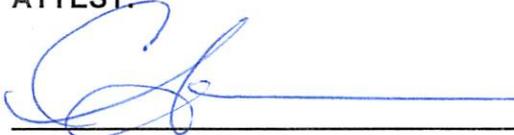
(END OF UTILITY DISTRICT MEETING)

APPROVED:

TARDY

BRUCE A. GUYTON
BOARDMEMBER

ATTEST:



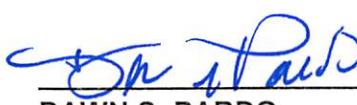
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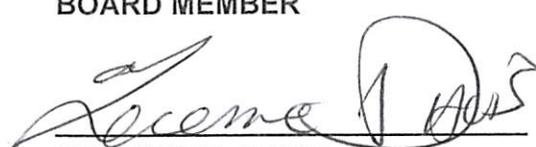
KASHAMBA L. MILLER
BOARDMEMBER



CEDRICK A. THOMAS
BOARD MEMBER



DAWN S. PARDO
BOARD MEMBER



TERENCE D. DAVIS
BOARD MEMBER

MOTIONED BY: C. THOMAS
SECONDED BY: T. DAVIS

B. GUYTON TARDY
K. MILLER AYE
C. THOMAS AYE
D. PARDO AYE
T. DAVIS AYE

DATE APPROVED: 04/01/15