

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MONDAY, NOVEMBER 16, 2015 AT 5:30 P.M.**

BOARD CHAIR PARDO: ...Board meeting. Madam Clerk, roll call, please.

ROLL CALL

DISTRICT CLERK ANTHONY: Chairperson Dawn Pardo?

BOARD CHAIR PARDO: Present.

DISTRICT CLERK ANTHONY: Chair Pro Tem Terence Davis?

CHAIR PRO TEM DAVIS: Here.

DISTRICT CLERK ANTHONY: Board Member Bruce Guyton?

BOARD MEMBER GUYTON: Here.

DISTRICT CLERK ANTHONY: Board Member KaShamba Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Here.

DISTRICT CLERK ANTHONY: Board Member Cedrick Thomas?

BOARD MEMBER THOMAS: Here.

DISTRICT CLERK ANTHONY: Ex Officio Board Member Mayor Masters? City Manager Ruth Jones?

CITY MANAGER JONES: Present.

DISTRICT CLERK ANTHONY: Executive Director Louis Aurigemma?

EXECUTIVE DIRECTOR AURIGEMMA: Here.

DISTRICT CLERK ANTHONY: District Clerk Claudene Anthony is present. District Attorney Pamela Ryan?

DISTRICT ATTORNEY RYAN: Present.

DISTRICT CLERK ANTHONY: District Finance Director Randy Sherman?

FINANCE DIRECTOR SHERMAN: Here.

INVOCATION

PLEDGE OF ALLEGIANCE

BOARD CHAIR PARDO: Okay. Thank you. We have a quorum. I'd like to invite everyone to stand for a moment of silence followed by the Pledge.
[Moment of silence]

BOARD CHAIR PARDO: I Pledge allegiance...

ALL: ...to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible with liberty and justice for all.
[Inaudible background comments]

AGENDA Approval Additions, Deletions, Substitutions

BOARD CHAIR PARDO: Alright. Ms. Jones, do we have any additions, deletions or substitutions to the Agenda?

CITY MANAGER JONES: No, Madam Chair.

DISCLOSURES BY BOARD OF DIRECTORS

BOARD CHAIR PARDO: Okay. Do we have any disclosures by the Board or by Staff?

BOARD MEMBER MILLER-ANDERSON: Ma'.., Madam Chair?

BOARD CHAIR PARDO: Yes, ma'am.

BOARD MEMBER MILLER-ANDERSON: I wanted to, regarding the additions or deletions?

BOARD CHAIR PARDO: Mhmm.

BOARD MEMBER MILLER-ANDERSON: I wanted to know, but I don't know if this is the proper place to say it. Because of the amount of calls that I have been receiving and emails regarding the stipend situation, I wanted to know if, because I couldn't, I tried to bring it back on the Agenda when it first came up and I was told that I could not bring it back up for reconsideration because I wasn't on the prevailing side, so I wanted

to know if someone on the prevailing side would be willing to add it to the Agenda for discussion?

BOARD MEMBER GUYTON: Madam Chair?

BOARD CHAIR PARDO: Yes, sir.

BOARD MEMBER GUYTON: Well, I can't speak for everybody else but that issue has been deliberated, voted on and done and my position is it's time for us to keep it movin'. If there are those in the public who still have an issue, that they're free to come to the meetings. The elected officials can say what they want but I don't want this to be a grandstanding election issue throughout this process. If somebody didn't support it up here, you vote no and we keep it moving.

BOARD CHAIR PARDO: Right.

BOARD MEMBER GUYTON: It's not like we keep saying, 'Well, I got outvoted so I'm gonna just keep bringing it up.' So, but, I won't be that one.

BOARD CHAIR PARDO: Okay. So is anyone willing to help out Ms. Anderson-Miller...

UNK: [Inaudible].

BOARD CHAIR PARDO: ...Miller-Anderson, I'm sorry. [Chuckle].

BOARD MEMBER MILLER-ANDERSON: That's oaky.

CHAIR PRO TEM DAVIS: Madam Chair?

BOARD CHAIR PARDO: Go ahead.

CHAIR PRO TEM DAVIS: I'll wait for you to... Is this the proper time to bring this up?

BOARD CHAIR PARDO: Yeah.

UNK: Is it?

BOARD CHAIR PARDO: Do, if you wanna do an addition.

DISTRICT ATTORNEY RYAN: You might as well. I mean, you've already started talking about it.

BOARD CHAIR PARDO: Right.

DISTRICT ATTORNEY RYAN: [Inaudible]. If Ms. Miller-Anderson wants to bring it up...

CHAIR PRO TEM DAVIS: Mhmm. Well, she's not on the prevailing side so she can't bring it up.

DISTRICT ATTORNEY RYAN: Right. So...

CITY MANAGER JONES: Do you wanna add...

DISTRICT ATTORNEY RYAN: She just wants to know if anybody's willing to...

CHAIR PRO TEM DAVIS: I'll add it.

DISTRICT ATTORNEY RYAN: ...add it.

CHAIR PRO TEM DAVIS: I'll add it.

BOARD CHAIR PARDO: Alright. So now we need a motion to add it.

CHAIR PRO TEM DAVIS: [Stammer].

DISTRICT ATTORNEY RYAN: Well, no. I mean...

BOARD MEMBER THOMAS: Yeah. That...

DISTRICT ATTORNEY RYAN: ...so you want it put on the next Agenda? Is that what you're saying? Or you...

BOARD CHAIR PARDO: No. She wants to...

DISTRICT ATTORNEY RYAN: ...want it done tonight?

BOARD CHAIR PARDO: ...discuss it tonight.

BOARD MEMBER MILLER-ANDERSON: Under discussion.

BOARD CHAIR PARDO: She wants to add it...

BOARD MEMBER MILLER-ANDERSON: Because...

BOARD CHAIR PARDO: ...to the Agenda.

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

CHAIR PRO TEM DAVIS: Add it to the Agenda tonight.

BOARD MEMBER MILLER-ANDERSON: ...it's the Utility District meeting. Right?
We can only do it then?

DISTRICT ATTORNEY RYAN: So, you need to make a motion to reconsider.

CHAIR PRO TEM DAVIS: I make a motion to reconsider.

BOARD CHAIR PARDO: Okay. There's a motion. Is there a second?

BOARD MEMBER MILLER-ANDERSON: Second.

BOARD CHAIR PARDO: Alright.

BOARD MEMBER THOMAS: Question.

BOARD CHAIR PARDO: Sir.

BOARD MEMBER THOMAS: First of all, seeing that this is such a controversial topic, it will be a slight injustice not to allow the public to know that you're going to reconsider it. Adding it to the Agenda tonight only allows the people who are up here. It's [pause], well, six, seven, eight people in the audience and all of them are employees. There's nobody from the general public here. So, if we truly want to reconsider this, we should add it to an upcoming Agenda so that individuals could speak on it. If that's not, you know, your purpose, to me, I don't think...

BOARD MEMBER MILLER-ANDERSON: I would be...

BOARD MEMBER THOMAS: That...

BOARD MEMBER MILLER-ANDERSON: ...okay with that.

BOARD MEMBER THOMAS: So, then I'm okay with adding it to a, a future Agenda. And then I'll, you know, I'll make whatever comments I have then but tonight I just think that it's just not the right time to do it.

BOARD MEMBER MILLER-ANDERSON: That's why I asked if this was feasible and...

BOARD MEMBER THOMAS: No. You can do it.

BOARD CHAIR PARDO: Right.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

BOARD MEMBER THOMAS: I just think that...

BOARD MEMBER MILLER-ANDERSON: But you have a valid point so I, I don't have a problem with that. [Stammer].

BOARD CHAIR PARDO: Okay. So there was a motion on the floor to discuss it tonight. Do you want to amend your motion, sir?

CHAIR PRO TEM DAVIS: I'll amend it.

BOARD CHAIR PARDO: To what?

CHAIR PRO TEM DAVIS: I'll rescind the motion?

BOARD CHAIR PARDO: Rescind it?

DISTRICT ATTORNEY RYAN: You, you wanna change it.

BOARD MEMBER MILLER-ANDERSON: Amend it.

CHAIR PRO TEM DAVIS: Well, I'll amend it for the next meeting, next Utility District meeting.

BOARD CHAIR PARDO: Okay. Fine. Is there a second?

BOARD MEMBER MILLER-ANDERSON: Second.

BOARD CHAIR PARDO: Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: No.

DISTRICT CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DISTRICT CLERK ANTHONY: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DISTRICT CLERK ANTHONY: Chair Pardo?

BOARD CHAIR PARDO: No.

DISTRICT CLERK ANTHONY: That motion is approved with Councilpersons Pardo and Guyton dissenting.

Disclosures by Board of Directors

BOARD CHAIR PARDO: Okay. So, any disclosures by the Board or by Staff? [Pause].

ADOPTION OF AGENDA

BOARD CHAIR PARDO: Alright. Motion to accept the Agenda.

BOARD MEMBER GUYTON: So move.

BOARD CHAIR PARDO: Is there a second?

BOARD MEMBER THOMAS: Second.

BOARD CHAIR PARDO: Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: Yes.

DISTRICT CLERK ANTHONY: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DISTRICT CLERK ANTHONY: Chair Pardo?

BOARD CHAIR PARDO: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

BOARD CHAIR PARDO: Thank you.

CONSENT AGENDA

BOARD CHAIR PARDO: 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.

BOARD CHAIR PARDO: Do we have a motion to accept the Consent Agenda?

BOARD MEMBER GUYTON: So move.

BOARD MEMBER THOMAS: Second.

BOARD CHAIR PARDO: Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: Yes.

DISTRICT CLERK ANTHONY: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DISTRICT CLERK ANTHONY: Chair Pardo?

BOARD CHAIR PARDO: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

AWARDS AND PRESENTATIONS

BOARD CHAIR PARDO: Thank you. That's the end of Consent Agenda. Awards and Presentations. None.

PUBLIC HEARINGS

BOARD CHAIR PARDO: Public hearings. None. Regular Agenda. Item 2.

REGULAR AGENDA

DISTRICT CLERK ANTHONY: 2. A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AND DIRECTING THE DISTRICT'S FINANCE DIRECTOR TO PROCEED WITH THE ISSUANCE OF THE DISTRICT'S WATER AND SEWER REVENUE BONDS, IN ACCORDANCE WITH THE CITY OF RIVIERA BEACH DEBT MANAGEMENT POLICY; AUTHORIZING THE OFFICIALS OF THE DISTRICT TO DO ALL THINGS NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

BOARD MEMBER GUYTON: So move.

BOARD CHAIR PARDO: Is there a second?

BOARD MEMBER THOMAS: Second.

BOARD CHAIR PARDO: Okay. Ms. Jones.

CITY MANAGER JONES: Thank you, Madam Chair. The Item that you have before you is a continuation of the efforts to improve the infrastructure within our City. And, one of the ways to finance that is through the issuance of revenue bonds. I would like to ask Randy Sherman, the District Finance Director to walk us through how we got here and what that basic process is.

BOARD CHAIR PARDO: Good evening, sir.

FINANCE DIRECTOR SHERMAN: Good evening. Randy Sherman, District Finance Director. Alright. Yeah. This Resolution was actually on your District Board Agenda last meeting and was discussed. What this does is this authorizes me to start the process for issuing revenue bonds. These revenue bonds are to pay for the twenty-four projects that were identified in your CIP, your capital program as unfunded projects but that they would be funded with bond proceeds. And also to fund the utilities portion of the street projects. We've already issued the debt for the street projects. As we talked about, we need to have the utility side as a compliment to that.

This does not...

BOARD MEMBER GUYTON: Wait.

FINANCE DIRECTOR SHERMAN: ...authorize the bonds. This does...

BOARD MEMBER GUYTON: I'm sorry, Madam Chair...

FINANCE DIRECTOR SHERMAN: Yep.

BOARD MEMBER GUYTON: ...but just one quick question.

FINANCE DIRECTOR SHERMAN: Sure.

BOARD MEMBER GUYTON: You spoke, uh... May I, Madam Chair?

BOARD CHAIR PARDO: Go ahead.

BOARD MEMBER GUYTON: Of the projects that it's gonna be funding, and I know...

FINANCE DIRECTOR SHERMAN: Yes.

BOARD MEMBER GUYTON: ...that you brought 'em before us at a previous meeting. Do you have those tonight? Because it's important when we're talking...

CITY MANAGER JONES: [Inaudible].

BOARD MEMBER GUYTON: ...about funding...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: ...that the...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: ...public see what the funding...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: ...is for.

FINANCE DIRECTOR SHERMAN: I, I don't have a slide and they were actually attached to the Agenda but, if you'd like, I can read 'em into the record.

BOARD MEMBER GUYTON: Could you read something...

FINANCE DIRECTOR SHERMAN: Sure.

BOARD MEMBER GUYTON: ...into the record?
[Pause]

FINANCE DIRECTOR SHERMAN: [Chuckle].

BOARD CHAIR PARDO: Would you like my water, sir?

FINANCE DIRECTOR SHERMAN: Raw water wells rehab, sanitary sewer system relining, Haverhill Road improvements, utility infrastructure, the neighborhood sector plan. I'm sorry, the north..., your District, the NSA.

BOARD MEMBER GUYTON: Yes.

FINANCE DIRECTOR SHERMAN: Replacement of [chuckle] large water meters, for placement of small water meters, replacement of fire hydrants, replacement of lift station pumps, replace perimeter water mains, water storage tank inspections, ground water rules sanitary survey, replace existing water treatment plan generators and switch gear. Then we have some miscellaneous water and sewer replacements, Lift Station 47 rehab, replacement of the Lyme slackers, replacement of Lyme softening units, parallel intracoastal force main, water main crossing, the new wastewater..., the water treatment plan perimeter wall, new utility field operations building, new water wells A and B, lift station rehabs Phase 1, Phase 2 and new Aqueous Ammonia System.

Those are the...

BOARD MEMBER GUYTON: And...

FINANCE DIRECTOR SHERMAN: ...proj'..., and then again, the street projects that, that have all been approved.

BOARD MEMBER GUYTON: And, street projects in each of our districts?

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER GUYTON: And, and it's important that the people know when we're talking about bonds and revenue bonds what the money's gonna be sp'..., or the funds will be spent on. Cause oftentimes we get criticized about the bonds but we don't clearly explain the benefit of what, in my opinion, I don't...

FINANCE DIRECTOR SHERMAN: Right. What they...

BOARD MEMBER GUYTON: ...I think we can do...

FINANCE DIRECTOR SHERMAN: ...[inaudible].

BOARD MEMBER GUYTON: ...a better job of explaining. Cause this gonna increase the quality of their lives to what, what we're trying to do here. And, in the future, could you bring it for me so when...

FINANCE DIRECTOR SHERMAN: Sure.

BOARD MEMBER GUYTON: ...you're asking for bond, have it so that...

FINANCE DIRECTOR SHERMAN: Have it so...

BOARD MEMBER GUYTON: ...people...

FINANCE DIRECTOR SHERMAN: ...we can display it.

BOARD MEMBER GUYTON: ...can also see how it's gonna improve their lives.

FINANCE DIRECTOR SHERMAN: Absolutely.

BOARD MEMBER GUYTON: Okay. Thank you.

FINANCE DIRECTOR SHERMAN: So again, what this does, is this allows us to start the process. We would have to bring back, for the Board's approval, the underwriter which you can see we're trying to tidy that up through December. We already have talked to the rating agencies. So, we've kinda geared some of these items up but, again, what, what you'd be authorizing tonight is for us to actually start the process. That would take us into January with a, hopefully, a closing in February. Which means, again, probably February we'd bring back the actual Bond Resolution so you'd, you know, you would know who was buying the bonds, what the rates are and, and so forth. But again, there are subsequent votes. This just allows us to move.., start the process.

BOARD MEMBER THOMAS: Madam Chair?

BOARD CHAIR PARDO: Sir. Go ahead, Mr. Thomas.

BOARD MEMBER THOMAS: I don't quite see any community meetings in there. I'd like to see at least two dates put in. I know it's a very tight schedule as is but just so the communities would know exactly. Even though you just read it off, a lot of individuals will not know exactly where the money is going and what that actually does. Because some of the things that you read off, just off of name, I'm...

FINANCE DIRECTOR SHERMAN: Right. Don't mean anything.

BOARD MEMBER THOMAS: Yeah. I'm not gonna...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER THOMAS: ...even know it. So, it doesn't have to be anything formal just, you know, a community meeting where people can come in and ask questions about exactly where it is, how much money we're looking to bond, all of those things so that the transparency is clearly evident.

FINANCE DIRECTOR SHERMAN: Okay. I can work with Mr. Aurigemma on that. We'll.., we can do that.

BOARD MEMBER GUYTON: Ma'...

BOARD CHAIR PARDO: Right. Anyone...

BOARD MEMBER GUYTON: Madam Chair...

BOARD CHAIR PARDO: ...else?

BOARD MEMBER GUYTON: ...I've got a question.

BOARD CHAIR PARDO: Sure. Go ahead, Mr. Guyton.

BOARD MEMBER GUYTON: Could that be added to one of the meetings that we have in the interim, between all of this. Section to deal with the bonds? Or are you talking separate special meeting? That's a question to...

BOARD MEMBER THOMAS: Oh, you're talking to me. Oh, I'm sorry. [Chuckle]. [Stammer]. It doesn't matter. I just want an opportunity for the public to...

FINANCE DIRECTOR SHERMAN: [Inaudible].

BOARD MEMBER THOMAS: ...be able to... And I didn't see it...

FINANCE DIRECTOR SHERMAN: Sure.

BOARD MEMBER THOMAS: ...on that schedule. So, if you wanna...

BOARD MEMBER GUYTON: [Inaudible].

BOARD MEMBER THOMAS: ...add it to one of those... I mean, because most of that is just gonna just be Staff stuff.

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER THOMAS: Ya know? So, not a lot of that even has anything to do with us. I just wanna make sure that., as a matter of fact, I don't see anything.

DISTRICT ATTORNEY RYAN: December 21st.

BOARD MEMBER GUYTON: Board meeting...

BOARD MEMBER THOMAS: December 21st? Oh yeah, Board meeting, yeah. Yeah. I., in a, in, in a overabundance of caution, let's just add another day in there so that they, that individuals who want to, to know what's going on and...

FINANCE DIRECTOR SHERMAN: Okay.

BOARD MEMBER THOMAS: ...people don't feel like we're tryna do something without...

FINANCE DIRECTOR SHERMAN: We can do that.

BOARD MEMBER THOMAS: It would be my opinion. It's up to the Board but I'm just sayin' that'd be my, my suggestion.

BOARD MEMBER GUYTON: I, I..., Madam Cahir?

BOARD CHAIR PARDO: Yes?

BOARD MEMBER GUYTON: I have a question. On the Board meeting, are you referring to a Utility District Board meeting?

FINANCE DIRECTOR SHERMAN: Correct. Now again, I realize the dates may change and...

BOARD MEMBER GUYTON: Mhmm.

BOARD CHAIR PARDO: [Inaudible background].

FINANCE DIRECTOR SHERMAN: [Stammer]. We probably have about 30 to 45 days of cushion in here but, but again, keep in mind we need to have this in place before you can start awarding street contracts. So that's why we're targeting early February. We probably can let it slip even to mid-March if, if that's the case. But this is...

BOARD MEMBER GUYTON: Okay.

FINANCE DIRECTOR SHERMAN: ...this...

BOARD MEMBER GUYTON: And, and...

FINANCE DIRECTOR SHERMAN: ...is aggressive.

BOARD MEMBER GUYTON: And the reason why I ask which meeting it is is because, now that we have separate meetings for the Utility District, I think that we should have time to engage the public...

FINANCE DIRECTOR SHERMAN: Mhmm.

BOARD MEMBER GUYTON: ...on any questions they may have a regular Board meeting. I would think. I don't know what you think?

BOARD MEMBER THOMAS: I'm just saying, I don't see the pro'., I don't really wanna debate it. I just...

CHAIR PRO TEM DAVIS: Oh, no.

BOARD MEMBER THOMAS: ...think that we should have another day. It doesn't hurt. It can fall within those guidelines. If the Board thinks that we need to do it before a meeting, or at one of those meetings, that's fine. I just thought that one more day would be...

BOARD MEMBER GUYTON: [Inaudible].

BOARD MEMBER THOMAS: You know, so...

CHAIR PRO TEM DAVIS: Madam Chair?

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD CHAIR PARDO: Are you done, Mr. Thomas?

BOARD MEMBER THOMAS: Yes, ma'am. I was just...

BOARD CHAIR PARDO: Alright. Mr. Davis.

CHAIR PRO TEM DAVIS: I'm just trying to find out, ya'll just want as a presentation so they can understand where each dollar's spent?

BOARD MEMBER THOMAS: What I would like is that, allow some time so when individuals want to know, 'Hey, listen. I live on such and such street...

CHAIR PRO TEM DAVIS: Mhmm.

BOARD MEMBER THOMAS: ...is this money going to do anything on that street?' And they have the ability to s'.., to be answered at that time and say yes. Or if you wanna set up whatever in the lobby or however just to show what we're doing with the money, I'm just trying to make sure that the information...

CHAIR PRO TEM DAVIS: Some more of a demonstration.

BOARD MEMBER THOMAS: ...it's out there. If that's what you wanna call it. [Chuckle].

CHAIR PRO TEM DAVIS: [Inaudible] if, if it's gonna be interactive, back and forth, I mean, that's how it sounds. Not that I'm opposing it, I just wanna know what, what we're talkin' about.

BOARD MEMBER THOMAS: I just wanted one more day so that the community [chuckle]...

BOARD CHAIR PARDO: [Inaudible].

BOARD MEMBER THOMAS: ...get it. If, if it's a problem with the Board, then don't do it but I just want one more day so that individuals can have an opportunity to understand and ask questions to where it was going. It was an aggressive...

CHAIR PRO TEM DAVIS: Mhmm.

BOARD MEMBER THOMAS: ...timetable to me.

CHAIR PRO TEM DAVIS: Okay.

BOARD MEMBER THOMAS: It only had one more time that we're actually were gonna meet, this Board and I just said, hey, add another day in there so that individuals could, could see it. So that they understand what's going on. I don't want a repeat of what we did the last time we did this where people didn't understand what was happening. That's all. That's all.

CHAIR PRO TEM DAVIS: I, I hear that. Respect that but where would we.., where could, where could this be done at? Which meeting in particular?

CITY MANAGER JONES: One...

CHAIR PRO TEM DAVIS: The first...

BOARD MEMBER THOMAS: Yeah, um...

CITY MANAGER JONES: Madam Chair?

BOARD CHAIR PARDO: Ms. Jones, go ahead.

FINANCE DIRECTOR SHERMAN: [Inaudible].

CHAIR PRO TEM DAVIS: I was lost. I don't know [inaudible].

BOARD MEMBER THOMAS: Yeah.

CHAIR PRO TEM DAVIS: ...presentation

CITY MANAGER JONES: Let me make a suggestion. The date that he had up there just as a proposal...

CHAIR PRO TEM DAVIS: Uhuh.

CITY MANAGER JONES: ...for discussion, was December the 21st.

CHAIR PRO TEM DAVIS: Okay.

CITY MANAGER JONES: I really would like to encourage you to hold the December meeting on the 14th. The week of a holiday, trying to...

BOARD MEMBER THOMAS: It's rough.

CITY MANAGER JONES: ...ask residents to come out and to speak, I think the 14th would be a better date. And, just like with other issues, we will make them aware that we will be presenting, once again, the capital projects that have been approved and here's what those projects are. And it doesn't have to be long and then we can entertain any discussion. If you'd like to consider the 14th as the day to, to try to do that otherwise anything after then makes it difficult on residents to really get out and, and to participate.

BOARD CHAIR PARDO: Alright. I have a question. When did this Agenda go up on the website? What day last week?

FINANCE DIRECTOR SHERMAN: I believe it would've been Monday.

UNK: [Inaudible].

BOARD CHAIR PARDO: When was it?

FINANCE DIRECTOR SHERMAN: On Monday?

UNK: [Inaudible].

EXECUTIVE DIRECTOR AURIGEMMA: Yeah. It, it did go on...

FINANCE DIRECTOR SHERMAN: Tuesday.

EXECUTIVE DIRECTOR AURIGEMMA: ...last Monday, early Tuesday morning because of some problems we notice.

BOARD CHAIR PARDO: Okay. So it's been up well over a week. Okay.

CITY MANAGER JONES: Mhmm.

BOARD MEMBER GUYTON: And, Ma'...

BOARD CHAIR PARDO: You know, and I'm saying that only because we have a lot of people that look at the website all the time and go through the Agendas and if it's something controversial, we all know they come out. Alright? With the..., when we were raising rates and other things. And, you know, I would say, if you think your residents are gonna have a problem with it, you know, I would take this..., I would have each Councilperson go into their district and start talking about it and make the residents

aware that we're doing this. You know, you guys wanna bring it up again and, and have another meeting. I'm fine with it but, you know, I., don't rely on Staff all the time to go out and inform the residents. I think each Councilperson has a duty to do that also.

So, are you guys fine with the 14th? Have a meeting on the 14th?

BOARD MEMBER THOMAS: Uh...

BOARD CHAIR PARDO: Then advertise it again and...

BOARD MEMBER THOMAS: Madam Chair?

BOARD CHAIR PARDO: Sir?

BOARD MEMBER THOMAS: As you just so stated, if.., and that's a good idea, all of us can bring it into our districts. However, it's gonna be hard to give them the information that we don't know what's going to change through all of those conference calls and we don't know what's going to change and I'm not willing to give anybody any incorrect information. You know? So if Staff decides that they want to cut out a day each week up until that time to make sure that I'm totally up to snuff on this...

BOARD CHAIR PARDO: Well...

BOARD MEMBER THOMAS: ...I have no problem doing that. Other than that, I just don't wanna repeat what happened with the last, you know, situation. That, that's all I'm trying to do. I really didn't think that it would cause such a, an issue to say put up another day so that Staff can.., so that the residents can understand that. We.., Agenda's been going up for a week earlier, prior to.., and just because somebody doesn't come to a meeting doesn't mean that they're not going to have an issue, you know, with it.

BOARD CHAIR PARDO: [Whispering]. [Inaudible] watching it [Inaudible].

BOARD MEMBER THOMAS: That's, that's all, that's, that's all I'm saying. You know?

BOARD CHAIR PARDO: Alright.

BOARD MEMBER THOMAS: A lot of...

BOARD CHAIR PARDO: That's fine.

BOARD MEMBER THOMAS: ...people choose to...

BOARD CHAIR PARDO: So when do you want it?

BOARD MEMBER THOMAS: ...just watch it...

BOARD CHAIR PARDO: Are you okay with the 14th?

BOARD MEMBER THOMAS: I'm okay with whatever day that you put...

BOARD CHAIR PARDO: 14th?

BOARD MEMBER THOMAS: ...up there. Whatever day that you put up there...

FINANCE DIRECTOR SHERMAN: 21st.

BOARD MEMBER THOMAS: ...besides the 25th. And the 24th.
[Chuckles]

BOARD CHAIR PARDO: Okay. So you guys are good with the 14th?

FINANCE DIRECTOR SHERMAN: 14th. 14th works.

BOARD CHAIR PARDO: Alright.

BOARD MEMBER GUYTON: Good.

BOARD MEMBER THOMAS: [Inaudible].

BOARD MEMBER GUYTON: Good with the 14th. And I think that we all are very concerned about...

BOARD CHAIR PARDO: Exactly.

BOARD MEMBER GUYTON: ...the residents being knowledgeable and educated and...

BOARD CHAIR PARDO: Right.

BOARD MEMBER GUYTON: ...ensuring that they understand what's going... As a matter of fact, I, that's why I brought it up for him to read, for Mr. Sherman to read, what the projects were...

BOARD CHAIR PARDO: Right.

BOARD MEMBER GUYTON: ...because...

BOARD CHAIR PARDO: We'll have them come out.

BOARD MEMBER GUYTON: ...that's important. So, the 14th is fine with me. I'm gonna be having one of my community engagement forums anyway and I'll, I'll also speak about it there, as well.

BOARD CHAIR PARDO: Great. Alright. Anyone else?

BOARD MEMBER THOMAS: So we switched the date from the 21st to the 14th?

BOARD CHAIR PARDO: Correct.

BOARD MEMBER THOMAS: We're not gonna keep both days?

BOARD CHAIR PARDO: Correct.

BOARD MEMBER THOMAS: Correct?

CITY MANAGER JONES: Correct. The...

BOARD MEMBER THOMAS: Okay.

CITY MANAGER JONES: And I'll send an email..., I mean, a calendar change so that it'll...

BOARD CHAIR PARDO: To everyone.

CITY MANAGER JONES: ... officially change it for you.

BOARD CHAIR PARDO: Alright. Anyone else? Alright. Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: No.

DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: Absolutely.

DISTRICT CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DISTRICT CLERK ANTHONY: Chair Pardo?

BOARD CHAIR PARDO: Yes.

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

FINANCE DIRECTOR SHERMAN: Thank you.
[Inaudible background comments]

BOARD CHAIR PARDO: Thank you. Okay. Moving on. Item 3.

DISTRICT CLERK ANTHONY: 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 TWO (2) EMERGENCY LIFT STATION BACKUP PUMPS FROM XYLEM DEWATERING SOLUTIONS D/B/A GODWIN PUMPS OF AMERICA; UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT #15-13-0904 BEGINNING OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2016; AND THAT THE UTILITY DISTRICT BOARD AUTHORIZE THE DISTRICT FINANCE DIRECTOR TO MAKE PAYMENTS IN AN AMOUNT NOT TO EXCEED \$93,846 FROM LINE ITEM NO. 411-1417-536-0-6451; AND MAKE PAYMENT FROM SAME; AND PROVIDING AN EFFECTIVE DATE.

BOARD CHAIR PARDO: Is there a motion?

BOARD MEMBER GUYTON: So move.

BOARD MEMBER THOMAS: Second.

BOARD CHAIR PARDO: Okay. Mr. Aurigemma.

EXECUTIVE DIRECTOR AURIGEMMA: Good evening, Madam Chair.

BOARD CHAIR PARDO: Good evening, sir.

EXECUTIVE DIRECTOR AURIGEMMA: The Utility District has over fifty lift stations throughout the..., it's system and each one of the lift stations has an emergency pump out connection. So, tonight we're asking for the purchase of two emergency, what we call in the business 'trash pumps'. Basically, if, if electricity goes out and we strategically place these pumps, one will be a 4" pump and the other will be a 6" pump. We attach it to the particular lift station, we keep the sewage flowing. So, we do have a current..., we have current trash pumps but they're over ten years old and it's time to replace them. So we're utilizing the Florida sheriff's contract because it's in there and we're able to purchase these through that contract.

BOARD CHAIR PARDO: Okay. And these are u'..., are used on a as needed basis.

EXECUTIVE DIRECTOR AURIGEMMA: Right.

BOARD CHAIR PARDO: Correct? They go...

EXECUTIVE DIRECTOR AURIGEMMA: They are portable.

BOARD CHAIR PARDO: Okay.

EXECUTIVE DIRECTOR AURIGEMMA: And they're used as needed.

BOARD CHAIR PARDO: Okay. Anyone have any questions?

BOARD MEMBER MILLER-ANDERSON: Madam Chair?

BOARD CHAIR PARDO: Yes, ma'am.

BOARD MEMBER MILLER-ANDERSON: So, we didn't have to go through a procurement type procedures when we got this? We just kinda went off of what the sheriff's department already had?

EXECUTIVE DIRECTOR AURIGEMMA: The, the sheriff's contract is renewed on an annual basis.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR AURIGEMMA: So, much like vehicles that are on the Florida sheriff's contract, so are these type of..., this type of equipment. So we're, we're just piggybacking and utilizing this particular contract.

BOARD MEMBER MILLER-ANDERSON: And with doing that, I have..., are we assured that the procedures and, and identifying which company we're gonna with was done properly or we just kinda go about, just based on what they did and [inaudible]...

EXECUTIVE DIRECTOR AURIGEMMA: Well, this company is listed on the Florida sheriff's contract. And I did have a s'..., a discussion with the purchasing manager this afternoon.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR AURIGEMMA: And he did say that he has reviewed the entire process and if we put out an RFP on our own for this type of equipment, it would cost us at least another 23% over what, what this number is here. So he's gone through it, he's satisfied with it and that's part of the recommendation that's in the packet.

BOARD MEMBER MILLER-ANDERSON: So we're not really... He's..., and, and who is this we're talking about?

EXECUTIVE DIRECTOR AURIGEMMA: Uh...

CITY MANAGER JONES: Mr. Mealy, will you come up as the Purchasing Manager and talk about the due diligence that you do when we do a piggyback?

MR. MEALY: Good evening. I'll...

BOARD CHAIR PARDO: Hi.

DISTRICT ATTORNEY RYAN: Good evening.

MR. MEALY: I've been here for nine weeks as your Purchasing Manager. One of my duties is looking at, versus piggybacking versus what we can go out in the market, fair market, and actually obtain is best value, best price and delivery time. In this particular case, we actually went out and did market research against other manufacturers and distributors that actually could supply the pump that is in question that the Utility District actually required. In this case, we found that we could get it off the state contract at a cheaper price at.., with better delivery terms.

So, anytime we actually go out and actually gonna piggyback or potentially piggyback off a state contract or another contract, we are doing market research. We.., that's one of the things I actually instill with Staff, that we will always do market research to make sure we're getting the best value and that we're actually getting the best vendor with very little vendor complaints, as minimal as we can find and we can get the best terms as far as delivery.

BOARD MEMBER MILLER-ANDERSON: Do we have any of that information in the backup identifying, or at least showing us that what you're telling us you read or did, actually exists or is that something that we weren't able to put on the backup?

MR. MEALY: For this particular solicitation and for this particular Agenda Item, it was not included. Going forward, we will make sure that the departments include this as part of the Agenda package and a recommendation from my Staff will be put, put forth stating that we are recommending this based on market research, you know, we got this at the best pricing, the best delivery terms, best performance by a vendor and that we recommend either going with the piggyback option or with another option that might be available within the state.

BOARD MEMBER MILLER-ANDERSON: Okay.

DM: But we will make sure that goes forward on every solicitation going forward.

BOARD MEMBER MILLER-ANDERSON: Okay. And, is that something you all thought about before I brought it up or is that something...

MR. MEALY: No, ma'am.

BOARD MEMBER MILLER-ANDERSON: ...your saying you're gonna do now?

MR. MEALY:No. Actually, I met with my Staff about this when they first took over...

BOARD MEMBER MILLER-ANDERSON: Okay.

MR. MEALY:...several weeks ago. One of the things I had requested is that we just don't assume that piggyback is gonna be the best option...

BOARD MEMBER MILLER-ANDERSON: Exactly.

MR. MEALY:...for the City.

BOARD MEMBER MILLER-ANDERSON: Right.

MR. MEALY:That we actually go out and do some market research and that's why we had the buying Staff there.

BOARD MEMBER MILLER-ANDERSON: Okay.

PRO TEM DAVIS: I like him.

BOARD MEMBER MILLER-ANDERSON: I., yeah. I would've loved to have seen all of that in here.

MR. MEALY:Well...

BOARD MEMBER MILLER-ANDERSON: Okay?

MR. MEALY:...we'll make sure going forward, Councilperson, that you actually have all this information as part of your package.

BOARD MEMBER MILLER-ANDERSON: Thank you.

BOARD CHAIR PARDO: Alright. Anyone else?
[Inaudible background comments]

CHAIR PRO TEM DAVIS: Good job.

BOARD CHAIR PARDO: Okay. Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Guyton?

BOARD MEMBER GUYTON: Yes.

DISTRICT CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DISTRICT CLERK ANTHONY: Board Member Miller-Anderson?

BOARD MEMBER MILLER-ANDERSON: No.

DISTRICT CLERK ANTHONY: Pro Tem Davis?

CHAIR PRO TEM DAVIS: Yes.

DISTRICT CLERK ANTHONY: Chair Pardo?

BOARD CHAIR PARDO: Yes.

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

END OF REGULAR AGENDA

BOARD CHAIR PARDO: Thank you. That is the end of the Regular Agenda.

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

BOARD CHAIR PARDO: Discussion by the Executive Director and/or the City Manager. Or, do you wanna just con'...Yeah. Right.

CITY MANAGER JONES: I don't have anything. So, if the...

BOARD CHAIR PARDO: Alright. So, Mr. Aurigemma.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am.

CITY MANAGER JONES: It's yours.

EXECUTIVE DIRECTOR AURIGEMMA: Thank you.

BOARD CHAIR PARDO: So you'll do the Item 4 and 5.

4. LIFT STATIONS 10 AND 50 UPDATE

EXECUTIVE DIRECTOR AURIGEMMA Okay. Item...

BOARD CHAIR PARDO: And 6.

EXECUTIVE DIRECTOR AURIGEMMA: ...4. Lift Stations 10 and 50 update. Lift Station 10 is located on Park Avenue off, on Singer Island. And, uh, actually a portion of Park Avenue is closed today and tomorrow for some work that's being done along the sea wall. It will be opened up again for traffic by, by end of business tomorrow evening, um, if not sooner. In addition to that, later this month, on Monday, Dec'..., November 30th, Park Avenue will be closed for thirty days. Because that site is so small to reconstruct the, the lift station and do that construction work, so we're gonna close it for approximately thirty days. And this way the contractor can do whatever he has to do on this site as part of the construction contract. If he can open that road up sooner, all the better. So that, that's Lift Station 10.

Lift Station 50 is our Master Lift Station on MLK Boulevard and Avenue U. Right now, the, the contractor is preparing the ground for the construction of a slab and a future foundation for a building that's being put there. So, within the next thirty days, you'll probably see a, a concrete slab being poured as well as some walls going up. Permits have been issued and so on.

So, that's what's happening with Lift Stations 10 and 50 right now. If you have any questions, I'd be more than happy to answer them.

BOARD CHAIR PARDO: Any questions anyone? Okay.

EXECUTIVE DIRECTOR AURIGEMMA: Okay.

5. EAST CENTRAL REGIONAL WASTEWATER TREATMENT (ECR) UPDATE

BOARD CHAIR PARDO: Item 5.

EXECUTIVE DIRECTOR AURIGEMMA: Okay. Next. Next, we have the East Central Regional Wastewater Treatment Plant update and this is the Item that I presented to you. And, essentially things are, are moving very quickly at the ECR. Notice to Proceed was August 10, 2015 and did go out to the site today and they are actually going vertical on, on at least one of the tanks. And, they are, they're progressing at, at breakneck speed at this point. So, it's only 5% of the project but when you go out there, it's really fantastic when you see all these, this infrastructure being constructed. They do plan on moving right along. What, what's really interesting about this particular project is they do have a, a drone which flies over and actually photographs the, the construction project's process as they're going along and, and the contractor is very cognizant of that.

At the last meeting, some questions were asked about the contract and the contractor, Poole & Kent. Went back to the City of West Palm Beach with respect to the contract and they do have a minimum 15% minority or disadvantaged participation. So that is part of their procurement process and this falls into that. So, that portion has been answered with respect to that. Very similar to our contract.

The other had to do with the apprenticeship program. The City of West Palm Beach does not require an apprenticeship program. However, Poole & Kent contractor is a union shop and they have their own internal apprenticeship program. And they're actually..., and it's voluntary so it doesn't cost anything more and they're actually, uh, they, they utilize the, the members of our apprenticeship program. Because they're local, they, they utilize the same firm and they're doing a lot of, uh, work with the pipefitters union. They're a union shop with respect to that. So, I believe that they're with the Palm Beach County Plumbing AC & Pipefitting Union Trade. So, if, if you're a member of that, then there's a possibility that you may be an apprentice on this particular job. And this is a large job. It's not something that'll be over in, in 30 or 60 days.

Yes, ma'am?

BOARD CHAIR PARDO: Right. And, I also did some research into that and I found out that IBEW also got a piece of that contract. The electrical workers.

EXECUTIVE DIRECTOR AURIGEMMA: Okay. So, so that's, that's another part of the apprenticeship program. Though it was not required as part of the contract documents, the contractor, Poole & Kent, they do that because they believe it's a benefit to their construction project. So, with respect to the ECR, that's, that's my update. If you need any further information, I have passed out a, a two page summary from the engineer which gives the information on the front page and some pictures on the back. If you have any questions on that, either tonight or some other time, I'm free to answer any questions.

BOARD CHAIR PARDO: I have a question for you. Do you know what's going on with the lawsuit? Remember there was a gentleman that was, that had an accident and died at the ECR several months ago and his family, I believe, filed a lawsuit. Do we have an update on that?

DISTRICT ATTORNEY RYAN: I'm happy to...

BOARD CHAIR PARDO: Even though...

DISTRICT ATTORNEY RYAN: ...speak to...

BOARD CHAIR PARDO: ...I think it was on ba'..., they, they're suing West Palm Beach. Correct?

DISTRICT ATTORNEY RYAN: They haven't sued anyone.

BOARD CHAIR PARDO: Okay.

DISTRICT ATTORNEY RYAN: They have only...

BOARD CHAIR PARDO: So they put us on...

DISTRICT ATTORNEY RYAN: Right.

BOARD CHAIR PARDO: Put them...

DISTRICT ATTORNEY RYAN: They've only...

BOARD CHAIR PARDO: ...on notice?

DISTRICT ATTORNEY RYAN: ...put them on notice and, um, last month I met with attorneys from the other groups and they're involved in the ECR. And we're still working through some issues. West Palm has already given thousands of pages of documents to the attorneys for the family. So I guess they're still in their pre-discovery type mode before they file the lawsuit. We're not sure who they're going to involve in the lawsuit so, um, we're kind of waiting to see what happens...

BOARD CHAIR PARDO: Okay.

DISTRICT ATTORNEY RYAN: ...at this point but, um, we're meeting frequently, as necessary. And when I have something definitive, I will definitely bring it back to Council.

BOARD CHAIR PARDO: Okay.

EXECUTIVE DIRECTOR AURIGEMMA: In, in addition to that, nothing has been brought to the ECR Board with respect to that. We received an update a long time ago but nothing else has really come to us.

BOARD CHAIR PARDO: Okay. Okay. Anyone else?

BOARD MEMBER MILLER-ANDERSON: Yeah. I just have a question, couple questions. And this is just for me as someone who's new here. With the ECR Board, the items that are brought before you, is there a certain limit that you're able to vote on to bind us with or is it, that you bring it back to us and then, you know, discuss it with us and then you're able to take it back?

EXECUTIVE DIRECTOR AURIGEMMA: Oh, we will bring those large items back to you if it, if it's exceeding the amount that's in our normal capital program, that's part of the...

BOARD MEMBER MILLER-ANDERSON: And what's that amount?

EXECUTIVE DIRECTOR AURIGEMMA: Uh, right now I believe they have a five, five to \$7,000,000 annual capital program. That is excluding the \$92,000,000 that we're talking about this, biosolids project.

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR AURIGEMMA: So, I mean, they have all their capital needs but, this one particular one, yes, that was brought to the Board for discussion in the past.

BOARD MEMBER MILLER-ANDERSON: So the amount that you have to bring back to us is what? You can't vote on your own with..., is there a certain amount?

EXECUTIVE DIRECTOR AURIGEMMA: It'll, it'll be any amount that we...

BOARD MEMBER MILLER-ANDERSON: Any amount.

EXECUTIVE DIRECTOR AURIGEMMA: ...have to...

BOARD MEMBER MILLER-ANDERSON: You always...

EXECUTIVE DIRECTOR AURIGEMMA: Yeah.

BOARD MEMBER MILLER-ANDERSON: ...come back...

EXECUTIVE DIRECTOR AURIGEMMA: Any amount.

BOARD MEMBER MILLER-ANDERSON: ...regardless.

EXECUTIVE DIRECTOR AURIGEMMA: It doesn't matter what it is. But...

BOARD MEMBER MILLER-ANDERSON: Okay.

EXECUTIVE DIRECTOR AURIGEMMA: ...if we were to go out for another bond issue, whatever that..., even if it was \$1,000,000, we'd have to come back to you and, and say, 'Hey,' you know, 'This is what it's for.' You know, 'We need your, your blessing and...' If it's given, that's fine. And if not, that's okay too but it is a Board. And the way they vote on financial matters is not strictly a 3-2 vote. There's also a percentage when it comes to who has the, the percentage. So, it's a combination type vote and, uh, the Attorney tells us how that works out as far as, you know... Even though you may have a 3-2 vote in favor...

BOARD MEMBER MILLER-ANDERSON: Mhmm.

EXECUTIVE DIRECTOR AURIGEMMA: ...if, uh, if you have the, the, the participants, the entities that have the larger percentage of ownership, then it could be defeated. So, and, and it's a little complicated formula but...

DISTRICT ATTORNEY RYAN: Madam Chair?

EXECUTIVE DIRECTOR AURIGEMMA: Yes.

DISTRICT ATTORNEY RYAN: Um, I don't...

BOARD CHAIR PARDO: Go ahead.

DISTRICT ATTORNEY RYAN: ...want to mislead Ms. Miller-Anderson. You all make decisions and you hire consultants and you hire engineers. You don't bring those back...

EXECUTIVE DIRECTOR AURIGEMMA: No.

DISTRICT ATTORNEY RYAN: ...to individual Boards. So, they spend money.

BOARD MEMBER MILLER-ANDERSON: Okay. Is there a certain...

DISTRICT ATTORNEY RYAN: All the time.

BOARD MEMBER MILLER-ANDERSON: ...amount that he has to bring back or he...

DISTRICT ATTORNEY RYAN: I haven't seen that and, frankly, in one of our..., a, a part of our discussion, the five attorneys...

BOARD MEMBER MILLER-ANDERSON: Mhmm.

DISTRICT ATTORNEY RYAN: We talked about changing some of the..., making some recommendations about changing some of the things that ECR does.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

DISTRICT ATTORNEY RYAN: Because we really don't..., individual cities really don't get the updates that you probably should get.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

DISTRICT ATTORNEY RYAN: I don't think they're violating any of the rules but we think that maybe there should be some more rules put in place.

BOARD MEMBER MILLER-ANDERSON: Okay.

DISTRICT ATTORNEY RYAN: Because, you don't know about the consultants and...

BOARD MEMBER MILLER-ANDERSON: Right. Right.

DISTRICT ATTORNEY RYAN: ...the projects. West Palm Beach does most of the projects.

BOARD CHAIR PARDO: Right.

DISTRICT ATTORNEY RYAN: So, I guess they are getting them approved on their end. I'm, I'm not, I'm not even sure.

EXECUTIVE DIRECTOR AURIGEMMA: Yeah. The, the...

DISTRICT ATTORNEY RYAN: How it's...

EXECUTIVE DIRECTOR AURIGEMMA: ...con'...

DISTRICT ATTORNEY RYAN: ...it's done.

EXECUTIVE DIRECTOR AURIGEMMA: ...The contracts...

BOARD CHAIR PARDO: Yeah.

EXECUTIVE DIRECTOR AURIGEMMA: ...are signed by the City of West Palm Beach. The contracts are with them.

DISTRICT ATTORNEY RYAN: Right.

EXECUTIVE DIRECTOR AURIGEMMA: The, the money comes from the ECR Board which, you know, each, each entity pays via their flow charges and their capital improvement subsidies.

BOARD MEMBER MILLER-ANDERSON: Oh. And you all meet monthly? Is it monthly or...

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am.

BOARD MEMBER MILLER-ANDERSON: ...every quarter? Okay. That's it.

6. DISCUSSION OF THE SALE OF SOLITRON COMMON STOCK

BOARD CHAIR PARDO: Anyone else? Okay. Item 6.

CITY MANAGER JONES: I would like to ask Mr. Sherman to give you the results. If you'll recall, we were before you earlier...

BOARD CHAIR PARDO: [Inaudible].

CITY MANAGER JONES: ...about the sale of the Solitron common stock. And so, Mr. Sherman, if you could report back as to what happened.

FINANCE DIRECTOR SHERMAN: Yes. Um, yes, it was several, several months ago we talked about the, the Solitron stock. And just to refresh everyone's memory, we..., the City owns 65,027 shares that we received as part of the bankruptcy filing back in the 90's. The Board of Directors has voted to offer the City \$4.30 per share. That would be a payment of \$279,616. Just for the record, it did close today at \$4.43 which is about 3% higher. But, you know, when you're dealing with stock, you're, you're constantly chasing [chuckle] that number. You know, there are no closing costs, there's no commissions that we have to pay. This is..., when we close, they will wire us the money and we're hoping to close on Thursday. The actual Resolution approving the sale is on the City Agenda because the stock certificates were issued in the name of the City but the Resolution says that then the money will be deposited with the Utility District.

BOARD MEMBER THOMAS: Madam Chair?

BOARD CHAIR PARDO: Sir.

BOARD MEMBER THOMAS: Mr., Mr. Sherman, did we make a decision to actually do it? I thought we were just going to see what they would...

BOARD CHAIR PARDO: Uh-uh. No.

CHAIR PRO TEM DAVIS: No. We made the decision.

CITY MANAGER JONES: [Inaudible].

BOARD CHAIR PARDO: I recall a decision. I recall a vote.
[Inaudible comments]

FINANCE DIRECTOR SHERMAN: Yeah. I...

BOARD MEMBER THOMAS: Okay. Okay. And, and...

FINANCE DIRECTOR SHERMAN: I, I., yeah.

BOARD MEMBER THOMAS: I don't know... Well...

FINANCE DIRECTOR SHERMAN: Well again, this has to come to you and, you know, if, if the Board chooses not to, that's...

DISTRICT ATTORNEY RYAN: Well...

BOARD MEMBER THOMAS: Right.

DISTRICT ATTORNEY RYAN: ...it's gonna go to the...

FINANCE DIRECTOR SHERMAN: [Inaudible].

DISTRICT ATTORNEY RYAN: ...City Council.

FINANCE DIRECTOR SHERMAN: City Council, I'm sorry.

BOARD MEMBER THOMAS: Right.

BOARD CHAIR PARDO: This is just an update.

BOARD MEMBER THOMAS: Right. So, I just wanna make sure that.., cause that's not what I understood. I thought we would just see if it was worth doing. I never knew that we had actually made the decision to actually sell it. And, if the Board makes that decision, that's all...

FINANCE DIRECTOR SHERMAN: That's... Right.

BOARD MEMBER THOMAS: ...well and good, um, but I just would wanna discuss it. And, you know what, since this is on the Agenda, maybe we should do that right now.

BOARD CHAIR PARDO: Right.

BOARD MEMBER THOMAS: Why, why wou'..., we're getting dividend checks like every quarter. Why would we sell the stock right now?

FINANCE DIRECTOR SHERMAN: You're, you're getting twenty-five cent dividend checks.

BOARD MEMBER THOMAS: But we're getting...

FINANCE DIRECTOR SHERMAN: Um...

BOARD MEMBER THOMAS: ...something.

FINANCE DIRECTOR SHERMAN: Yes.

BOARD MEMBER THOMAS: So, if.., okay. So...

BOARD CHAIR PARDO: That's a no.

BOARD MEMBER THOMAS: Twenty-five cent times 65,000 is getting something. So, I don't know what that is. What? Fifteen, \$20,000, something like that?

FINANCE DIRECTOR SHERMAN: Yeah. It's about \$17,000...

BOARD MEMBER THOMAS: Seventeen...

FINANCE DIRECTOR SHERMAN: ...check. Yeah.

BOARD MEMBER THOMAS: Okay. I get it. But, why would we.., what would be the, the benefit of just selling it now? Wha'.., and, and I've had this conversation with you...

FINANCE DIRECTOR SHERMAN: Mhmm.

BOARD MEMBER THOMAS: ...and I just wanna know what would be the benefit of just selling it now.

FINANCE DIRECTOR SHERMAN: Yeah. I mean, the only real benefit is getting the cash and putting the cash into capital projects, you know, and then it would be cash that, you know, would supplement the bonds and any other, you know, pay as we go type capital. You know, the stock doesn't trade very much, it doesn't move very fast. Um, you know, and to, you know, just cash it out at this point and take the cash and...

BOARD MEMBER THOMAS: But we didn't, we don't have to pay for it, we didn't...

FINANCE DIRECTOR SHERMAN: Nope.

BOARD MEMBER THOMAS: I would say that, it would be my opinion to not liquidate everything right now. I mean, we're doing some bonds, we're doing some, some other things. I just.., unless it was something that was a, in a dire need, I mean, at this point, our budget is already set. I mean...

FINANCE DIRECTOR SHERMAN: Mhmm.

BOARD MEMBER THOMAS: ...I just, I just wanna put out there on record how I feel about it. If the Board says sell it, then, I mean, that's what, that's what happens but, you know, at \$279,000 and we're selling it less than what they've even.., what it traded at even today. Correct?

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER THOMAS: So...

FINANCE DIRECTOR SHERMAN: Yeah. It's about 3% less.

BOARD MEMBER THOMAS: But that further lets...

BOARD CHAIR PARDO: [Inaudible].

BOARD MEMBER THOMAS: I mean, that further... [Stammer]. To me, if we were goin' to sell it, I would sell it at what it just closed at or whatever, I wouldn't sell it for less than what we, what the stock is actually valued at. You know?

FINANCE DIRECTOR SHERMAN: Right. And, and I'll tell you, when I first approached 'em after the, the Board meeting, we were talking about the current price. They said, 'What do you want?' I said I want the [chuckle] current price. By the time you go and you take it back to the Board and they vote on that and then it comes ba'... I mean, that's, that's my point is, you know, as you know, the stock market goes up and down. [Inaudible] it went up...

BOARD MEMBER THOMAS: But...

FINANCE DIRECTOR SHERMAN: ...two cents today. [Chuckle]. I mean, that...

BOARD MEMBER THOMAS: I...

FINANCE DIRECTOR SHERMAN: ...that's the...

BOARD MEMBER THOMAS: ...I get it.

FINANCE DIRECTOR SHERMAN: ...way it goes.

BOARD MEMBER THOMAS: But I'm saying, the Board has changed. Or the Board didn't change or whatever...

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER THOMAS: Obviously, the company is doing better. That 65,000 shares could be worth a whole lot more later or it could not be.

FINANCE DIRECTOR SHERMAN: It could not.

BOARD MEMBER THOMAS: But we've had it for how long now? Twenty years?

FINANCE DIRECTOR SHERMAN: Twenty years. Yeah.

BOARD MEMBER THOMAS: So, I...

BOARD CHAIR PARDO: And the [chuckle] stock hasn't done anything.

CITY MANAGER JONES: Yeah.

BOARD MEMBER THOMAS: Alright.

BOARD CHAIR PARDO: Nothing.

CHAIR PRO TEM DAVIS: [Inaudible].

BOARD MEMBER THOMAS: Okay. I'm just gonna fi'...

BOARD CHAIR PARDO: Such a tight market. I'm sorry, go...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD CHAIR PARDO: ...ahead, sir.

BOARD MEMBER THOMAS: Yeah. I, I get it. And clearly I'm not a stock guru here and that was Ms. Pardo's business so I definitely would, you know, will love to hear her opinion on it but what I'm saying is, two hundred an'.., at.., twenty years ago, it probably was worth nothing, when we got it and twenty years later it's worth something. I'm just saying, why are we liquidating everything that we have? I mean, leave it there. It could, it could do better. It could, it could do something. I just don't see what we would do with it. We cash it out and now we put \$279,000, you know, into the general fund. I just.., it could be something better. I just don't think that right now is, is the proper...

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER THOMAS: ...time to do it. It's just mine. I just...

FINANCE DIRECTOR SHERMAN: Well...

BOARD MEMBER THOMAS: ...wanted to put mine...

FINANCE DIRECTOR SHERMAN: ...again, I just wanna...

BOARD MEMBER THOMAS: ...on record how I felt...

FINANCE DIRECTOR SHERMAN: ...correct you, you said general funds. I just wanna corr'.., it's gonna go to the Utility District.

BOARD MEMBER THOMAS: Okay.

FINANCE DIRECTOR SHERMAN: And again, just to put it in perspective, if I went out and borrowed that money, it would probably cost you over 4%. So again, the fact that they're 3% and it could go down between now [chuckle] and Thursday whenever it, you know, whenever you close. So again...

BOARD MEMBER THOMAS: If you borrow what money?

FINANCE DIRECTOR SHERMAN: If, if, if I had to go borrow this \$279,000 for capital projects.

BOARD MEMBER THOMAS: Mhmm.

FINANCE DIRECTOR SHERMAN: You know, it probably would cost you over 4% to...

BOARD MEMBER THOMAS: But we're about...

FINANCE DIRECTOR SHERMAN: ...go out and...

BOARD MEMBER THOMAS: ...to do...

FINANCE DIRECTOR SHERMAN: ...borrow it.

BOARD MEMBER THOMAS: ...a bond issuance.

FINANCE DIRECTOR SHERMAN: Yep.

BOARD MEMBER THOMAS: For capital projects. That's my..., if... Listen...

FINANCE DIRECTOR SHERMAN: Yep.

BOARD MEMBER THOMAS: I'm just telling you...

FINANCE DIRECTOR SHERMAN: Yep. No.

BOARD MEMBER THOMAS: ...how I feel.

FINANCE DIRECTOR SHERMAN: It's fine.

BOARD MEMBER THOMAS: I just don't think that we should..., we're ge'... Right now, it does not make us any better or worse at this time because we're gettin' ready to do a bond issuance. How much are the bonds gonna be for?

FINANCE DIRECTOR SHERMAN: About \$40,000,000.

BOARD MEMBER THOMAS: So, we're gonna say, 'Okay. We're gonna add \$275,000 to the \$40,000,000 when we can let that sit there and still accumulate.' It's not going to make a difference right now in the immediate. We're goin' out and saying, 'Hey. We're, we're doing \$40,000,000.' You know, I just don't see that can be there, that can turn into something later.

That's all I'mma say about it. I'm just sayin', I think it's a little premature to do it and that's, that's all for me. But whatever the Board decides, I'm willing to do it.

CHAIR PRO TEM DAVIS: Madam Chair?

BOARD CHAIR PARDO: Yes, Mr. Davis.

CHAIR PRO TEM DAVIS: Mr. Sherman, what have you received in the last four quarter reports from this particular stock?

FINANCE DIRECTOR SHERMAN: This year, we received 25 cent dividend. And again, whatever, 65,000 divided by 4 was \$17,000 and, change. And then...

CHAIR PRO TEM DAVIS: For the entire year?

FINANCE DIRECTOR SHERMAN: For the entire year.

CHAIR PRO TEM DAVIS: Okay.

FINANCE DIRECTOR SHERMAN: And last year, we, we received a nickel a share. So, it was about \$3,000.

CHAIR PRO TEM DAVIS: Three, \$4,000?

FINANCE DIRECTOR SHERMAN: Yep. And before that we weren't receiving any dividends.

CHAIR PRO TEM DAVIS: So, so right now, based on the market, we're doing pretty good?

FINANCE DIRECTOR SHERMAN: [Chuckle]. Well, the price per share has, has gone up.

CHAIR PRO TEM DAVIS: Mhmm.

FINANCE DIRECTOR SHERMAN: In the last year. But again, these dollars can be taken and invested and, you know, and you can get a guaranteed, you know, return. Which again, I realize that's...

CHAIR PRO TEM DAVIS: So...

FINANCE DIRECTOR SHERMAN: ...that's variable.

CHAIR PRO TEM DAVIS: So we...

FINANCE DIRECTOR SHERMAN: But it's, you know, you either wait for the, the stock to appreciate or you take that and you put it in, in the bank.

CHAIR PRO TEM DAVIS: So, what are you advising us to do? To sell and do what with that money?

FINANCE DIRECTOR SHERMAN: Well again, I could take that money and, if you don't wanna spend it on capital, you know, we would just invest it. It'd be, you know...

CHAIR PRO TEM DAVIS: [Inaudible].

FINANCE DIRECTOR SHERMAN: ...surplus funds invested for the...

CHAIR PRO TEM DAVIS: In, in a...

FINANCE DIRECTOR SHERMAN: ...Utility District.

CHAIR PRO TEM DAVIS: ...in another market?

BOARD CHAIR PARDO: Right.

FINANCE DIRECTOR SHERMAN: In a money market.

CHAIR PRO TEM DAVIS: Money market, yeah.

FINANCE DIRECTOR SHERMAN: Right. Right. Not stocks. Right.

CHAIR PRO TEM DAVIS: Hm.

BOARD CHAIR PARDO: [Inaudible].

CHAIR PRO TEM DAVIS: I'll just keep my comments and let everybody else say what they have to say at this time.

BOARD MEMBER GUYTON: Mm.

BOARD CHAIR PARDO: Anyone else?

BOARD MEMBER GUYTON: Just a quick question, Madam Chair.

BOARD CHAIR PARDO: Go right ahead, sir.

BOARD MEMBER GUYTON: Mr. Sherman, do we have the, like a five year performance of this stock?

FINANCE DIRECTOR SHERMAN: I don't but I, I mean we could get that fairly easily.

BOARD CHAIR PARDO: Mhmm.

BOARD MEMBER GUYTON: I, I would like to see that, what, what's it's... In the market there's a lot of fluctuation.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: If we get caught on the downside, then we lose out. I would like to see how, how it's been fluctuating. If it's been fluctuating much on a high end...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: ...or the low end. From what I understand, it hasn't been going up too much.

FINANCE DIRECTOR SHERMAN: [Chuckle]. It doesn't. It doesn't.

BOARD MEMBER GUYTON: It's not like...

FINANCE DIRECTOR SHERMAN: A coup'..., couple pennies...

BOARD MEMBER GUYTON: ...we're gonna get another...

FINANCE DIRECTOR SHERMAN: ...here or there. It goes up, it goes down. It... Yeah.

BOARD MEMBER GUYTON: Yeah. Three or \$4.00 a sh'..., a share, I don't think that's gonna happen. So, if that five year, it'll tell me, it'll give me a gauge, a range of the fluctuation and...

FINANCE DIRECTOR SHERMAN: [Chuckle].

BOARD MEMBER GUYTON: ...whether it's wor'..., worth waiting. If it's been fluctuating two or three cents, to me it's not worth waiting.

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: If it's fluctuating three or four, five, \$6.00, that's different. But I don't think that's the case but that'll...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER GUYTON: ...tell me.

FINANCE DIRECTOR SHERMAN: Okay. And I'll have that for you before Wednesday night.

BOARD MEMBER GUYTON: Okay.

FINANCE DIRECTOR SHERMAN: Cause, like again, it's on the Agenda. And again, I, I just do wanna remind people that, you know, this is their, their stock buyback program. They set \$1,000,000 aside to buy stock so, you know, whether they offer it again or not, I don't know. And again, the issue is, we couldn't just dump 65,000 shares on the market of this stock cause it doesn't trade all that frequently and that would cause the, the market to crash on it. So.

BOARD MEMBER MILLER-ANDERSON: Madam Chair?

BOARD CHAIR PARDO: Go ahead, Ms...

BOARD MEMBER MILLER-ANDERSON: Is it costing us anything to keep it?

BOARD CHAIR PARDO: No.

CHAIR PRO TEM DAVIS: Uh-uh.

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

FINANCE DIRECTOR SHERMAN: Nope.

BOARD MEMBER MILLER-ANDERSON: ...is there any..., what is the harm in keeping it?

FINANCE DIRECTOR SHERMAN: It would just be a lost opportunity to, to use the dollars for something else, whether you're investing it or you'll actually be able to put it into capital projects.

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

BOARD CHAIR PARDO: Okay. I'll give you my opinion on it. Okay. So, for the past five years, this stock has tra'..., it's gone from about 2 and 3/4 or so to, where is it now, 4 and...

FINANCE DIRECTOR SHERMAN: \$4.43.
[Inaudible background]

BOARD CHAIR PARDO: Okay. Over five years. And it started inching up because, for the longest time, nothing happened with the stock and two investors came in, they bought 5%, they filed 13Ds and they tried several times overturning the Board. And because of how illiquid the stock is, they couldn't get more stock. The Board holds the

majority of the stock so they weren't able to overturn the Board. Okay? But what the, the company did, they said, 'Okay. We'll start giving dividends.' So, they started with the nickel dividend and they're up to 25 cents now. But these investors still are not satisfied but they can't do anything.

And, my opinion is, what's gonna happen with this stock, the stock's not moving. Over five years, look where the stock market is now. Okay? So, over five years for the stock to be up... No.

BOARD MEMBER GUYTON: [Inaudible].

BOARD CHAIR PARDO: No. The stock up maybe a buck and a half over five years? And you're gonna keep, you know, you're gonna hold onto it? It's ludicrous. You know, at this point, I would just say participate in the buyback program and, you know what, and we're really lucky that they have this buyback program and I think they're doing it because of those 13D ho'.., filers out there who are just so fed up with everything and they're hoping that they...

FINANCE DIRECTOR SHERMAN: [Inaudible].

BOARD CHAIR PARDO: ...that the investors ditch their stock and sell it back to the company. And I believe, if that happens, you're gonna see a decrease in the dividends again. Because now it's just, you know, these lonely ole shareholders and it's gonna be like, you know what, we have the majority. The Board has the majority of the stock.

The other thing I wanna mention, and I had asked this at our last meeting, the City has not been voting every year at the shareholder meeting. So we get our proxy statements and we're not doing anything with it. So it's not like we have been aggressive shareholders. You know, I would say, um, I agree with you, Mr. Sherman. The stock really isn't trading, it's not a liquid stock and, at this point, it's trading at the high and it's only trading at this high, again, because of the buyback program. So I would say, sell it.

FINANCE DIRECTOR SHERMAN: Uhuh.

BOARD CHAIR PARDO: Sell it. Because, like I said, if not, when the buyback program is ended, I truly believe, that quarter dividend is gonna go away.

FINANCE DIRECTOR SHERMAN: Right. And then you won't...

BOARD CHAIR PARDO: And then you're back with the stock trading in the, you know, in the two's, 2 1/2 's and here we are, you know, once again just sittin' on it.

FINANCE DIRECTOR SHERMAN: Right. With no...

BOARD CHAIR PARDO: It doesn't ma'...

FINANCE DIRECTOR SHERMAN: ...with no market to be able to sell it. Right.

BOARD CHAIR PARDO: Exactly. Because... Right. Unless they wanna take it private, then they'll come to us. But why should they when they'll be the majority. Um, they'll have the majority on it. So, my opinion is, I think we should sell it. So, anyway, so I guess there's no vote or anything. This was a discussion.

FINANCE DIRECTOR SHERMAN: Right.

BOARD CHAIR PARDO: So, we'll come back to the Council...

BOARD MEMBER THOMAS: Uh...

BOARD CHAIR PARDO: ...and...

FINANCE DIRECTOR SHERMAN: On Wed'...

BOARD CHAIR PARDO: ..it'll be a vote.

BOARD MEMBER THOMAS: Madam Chair?

BOARD CHAIR PARDO: Yes.

BOARD MEMBER THOMAS: If, if you're done, I just want...

BOARD CHAIR PARDO: Go ahead.

BOARD MEMBER THOMAS: ...I didn't want you to leave the Item. What my mindset is, is that I don't want to take everything away for future administrations, for future City Council's, for, I mean, we've had it for twenty years. No, it hasn't traded well, we didn't pay anything for it in the sense of money, with the exception of the damage to our water system. I just don't see the need to do it at this time. We're getting ready to issue \$40,000,000 worth of bond. And if you can save 65,000 shares, whatever it's worth, none of us know exactly what it's worth and, just for the record, I don't know what 13D's are. So I, I don't know what that exactly means. I'm sure I'm the only one that don't know what that means though but what, what I'm saying is that, I just don't see the need. To me, it will just be like, if we weren't going out for \$40,000,000 worth of bonds, then I say, 'Okay. Fine. We need to get this going,' but we're saying \$40,000,000 worth of bonds and let's take the \$275,000 that's there and do something else with it. We don't know. That's.., if we all knew how the stock market wo'.., worked, all of us, everybody, would be extremely rich and that's how it would be. We don't know. We don't know if this new company or this new Board or these new investors are gonna.., the company's gonna turn around and, and start splittin' shares. We don't know and it could turn out to be nothing. We just don't know.

I just thinks it's excess and it's a waste. In the same, on the same Agenda we're saying we're going out for \$40,000,000 but let's just take these 65,000 shares that nobody's done anything with and, truth be known that most of us didn't even know we had, you know, I just don't think that we should. I think that we should leave something. That's all I'mma say about it. If we're gonna make a decision about this, I guess we have to, right? We're gonna make a dec'..., if you got...

FINANCE DIRECTOR SHERMAN: [Inaudible].

BOARD CHAIR PARDO: No.

BOARD MEMBER THOMAS: ...it on the next Agenda...

FINANCE DIRECTOR SHERMAN: Well, it's...

BOARD CHAIR PARDO: It was just a disc'...

FINANCE DIRECTOR SHERMAN: ...on the next., yeah. They, they've made an offer to purchase and you need to, you know, we need to respond back to 'em.

BOARD CHAIR PARDO: Yeah.

FINANCE DIRECTOR SHERMAN: But again, what this does is it allows you just to take this asset and make it liquid so you can use it if you need to use it or want to use it. You know, keeping it in as, as stock, which by the way is, is not a legal investment for [chuckle] for the City, um, under the statutes but we have it and...

BOARD MEMBER THOMAS: Oh, ho'...

FINANCE DIRECTOR SHERMAN: ...you know...

BOARD MEMBER THOMAS: ...hol'...

FINANCE DIRECTOR SHERMAN: ...keep doing it.

BOARD MEMBER THOMAS: Hold on, hold on, hold on.

FINANCE DIRECTOR SHERMAN: We're not a'...

BOARD MEMBER THOMAS: You say stuff at these meetings now, it comes...

FINANCE DIRECTOR SHERMAN: Right...

BOARD MEMBER THOMAS: ...back to haunt you.

BOARD CHAIR PARDO: No, no, no, no.

BOARD MEMBER THOMAS: So, you say...

BOARD CHAIR PARDO: Because...

FINANCE DIRECTOR SHERMAN: No, no.

BOARD CHAIR PARDO: ...we didn't...

BOARD MEMBER THOMAS: Hold on. Let me please...

BOARD CHAIR PARDO: ...go out and buy it.

BOARD MEMBER THOMAS: Let me keep the floor just so I can understand.

FINANCE DIRECTOR SHERMAN: Okay.

BOARD MEMBER THOMAS: You said that it's not legal for us to...

FINANCE DIRECTOR SHERMAN: We're not allowed...

BOARD MEMBER THOMAS: ...have it?

FINANCE DIRECTOR SHERMAN: ...to invest in stocks and bonds. The pension plans can.

BOARD CHAIR PARDO: Right.

BOARD MEMBER THOMAS: But we didn't...

FINANCE DIRECTOR SHERMAN: But that's different...

BOARD MEMBER THOMAS: ...invest in it. It was...

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER THOMAS: ...given to us.

FINANCE DIRECTOR SHERMAN: That's what I mean but we have it as an investment. So again, it gives us the opportunity to put this into a legal investment for the City. And again...

BOARD MEMBER THOMAS: But you, you would, you're, you're saying, or you're implying that it's illegal for us to have it.

FINANCE DIRECTOR SHERMAN: We're not, we are not supposed to have stock. Okay? It's not.., if you go through the statutes and you look at what's, the permissible investments are, stocks are not a permissible investment. We own it and that, that is what it is, okay? But it gives us the opportunity to take that stock and make it into, turn it into a liquid asset that we can use in the future.

BOARD MEMBER THOMAS: You will be telling us that if we don't sell it now, that...

FINANCE DIRECTOR SHERMAN: No.

BOARD MEMBER THOMAS: ...that would mean that we're holding something that's illegal.

BOARD CHAIR PARDO: No.

BOARD MEMBER THOMAS: Now, all I'm saying is, that's very serious to say and if you're gonna try to force...

FINANCE DIRECTOR SHERMAN: No.

BOARD MEMBER THOMAS: ...us to do something, you know, I wanna make sure that you're, you're giving us the accurate information on that. Because if you say, 'Listen, we're not supposed to have it,' I will say, 'Well, why do have it?'

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER THOMAS: And if you're saying, 'Well, it's illegal for you to have,' then I'mma say, 'Okay. Well, we definitely shouldn't keep it. Let's make sure that we are legal here.' So, when you, when you give it to us that way, I just need to make sure...

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD MEMBER THOMAS: ...that you're...

FINANCE DIRECTOR SHERMAN: Let me, let me soften the.., it's, it's not a permissible investment. Okay? We report it. We, everybody knows [chuckle] we have it. Okay? But, if I, if I wanted to turn around and take City cash right now, I could not go purchase stock. Okay?

BOARD MEMBER THOMAS: Okay. Did this change...

FINANCE DIRECTOR SHERMAN: I, I can't go and make that...

BOARD MEMBER THOMAS: ...after...

FINANCE DIRECTOR SHERMAN: ...an investment.

BOARD MEMBER THOMAS: Did this change after we were given it?

FINANCE DIRECTOR SHERMAN: No. No.

CITY MANAGER JONES: We didn't purchase it. It was...

FINANCE DIRECTOR SHERMAN: No.

CITY MANAGER JONES: ...given to us.

FINANCE DIRECTOR SHERMAN: But again, you got it through a bankruptcy filing. Okay? You, you..., City owns it, City reports it and it's, you know, that's, you know... But the issue is, it's an opportunity that's presented and it's clearly...

BOARD CHAIR PARDO: [Inaudible background]

FINANCE DIRECTOR SHERMAN: ...your choice whether you wanna take advantage of that opportunity again. I don't know where the stock's gonna go, you're absolutely right. I don't know if they're ever gonna have a buyback program again. But it gives us that opportunity to get out of the situation that we're in where we own the stock and we can't spend those, those dollars.

BOARD MEMBER THOMAS: I'm done for the night...

BOARD MEMBER GUYTON: Madam...

BOARD MEMBER THOMAS: ...with that.

BOARD MEMBER GUYTON: You have some...

BOARD CHAIR PARDO: Go ahead, Mr. Guyton.

BOARD MEMBER GUYTON: I'll defer. I...

BOARD MEMBER MILLER-ANDERSON: I... [Chuckle].

BOARD MEMBER GUYTON: Since we're talking about legal stuff, can Ms. Ryan chime in on what he's saying and explain if that is true or not true or where we stand with that.

DISTRICT ATTORNEY RYAN: Well...

BOARD CHAIR PARDO: [Inaudible background whisper]

DISTRICT ATTORNEY RYAN: Madam Chair?

BOARD CHAIR PARDO: Go ahead.

DISTRICT ATTORNEY RYAN: Number one, I think he finally got around to it. I was not here at the time, I don't know what occurred but the City was given the, the shares through a bankruptcy.

CHAIR PRO TEM DAVIS: Mhmm.

DISTRICT ATTORNEY RYAN: Through court.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

DISTRICT ATTORNEY RYAN: And so, that would've made it, they would've made that argument back then. If it was not legal to do so, then I'm sure they would've said something. But nobody ever did and really this is the first I'm hearing that we're illegally holding on to it. But, because we didn't purchase it, it's probably, we probably are in an exception standpoint.

CHAIR PRO TEM DAVIS: Mhmm.

DISTRICT ATTORNEY RYAN: I think you will be fine to just keep it. You couldn't go buy more. You can't do...

FINANCE DIRECTOR SHERMAN: Right.

DISTRICT ATTORNEY RYAN: ...anything more with it. Either you keep it and watch it grow. I mean, if you were given the money in a bankruptcy and it was worth nothing, nobody was gonna make you sell it just because we were not supposed to, to have it. I don't know if it'll grow or if it won't grow but I don't want you to feel like we are going to be, in any way, taxed or held accountable for holding stock that we did not purchase but that we got in a bankruptcy. We're fine in that regard. Because a court gave it to us.

BOARD MEMBER MILLER-ANDERSON: Okay. Well [pause]. I hear what you're saying but I also heard Mr. Sherman saying about, stating that we..., almost like we're not supposed to have it. We should not have it at this point. So, by him saying that it's illegal to have, regardless of when we got it, what the rule was back then or how, you know, I would be much more at ease if we get something in writing stating that we are okay because I, I don't wanna be put in a situation where it's been presented to you, 'Well, I told you it...
[Inaudible background comments]

BOARD MEMBER MILLER-ANDERSON: ...was illegal,' and you didn't do anything about it.' So, can we get something in writing to fix that so I'm comfortable?

FINANCE DIRECTOR SHERMAN: If...

BOARD CHAIR PARDO: Uh...

FINANCE DIRECTOR SHERMAN: [Stammer].

BOARD CHAIR PARDO: Wait. But it also...

FINANCE DIRECTOR SHERMAN: But again, let me clarify.

BOARD MEMBER THOMAS: [Inaudible background comment].

FINANCE DIRECTOR SHERMAN: There is a list in the state statutes of permissible investments.

BOARD MEMBER MILLER-ANDERSON: Mhmm.

FINANCE DIRECTOR SHERMAN: Okay? So, we cannot take current resources and invest in things that are now allowed by statute. Okay?

BOARD MEMBER MILLER-ANDERSON: I understand that part.

FINANCE DIRECTOR SHERMAN: I agree with what Ms. Ryan said. We have it. It was given to us, it was given to us by the courts. Okay?

BOARD MEMBER MILLER-ANDERSON: Well, why did you say what you said?

CITY MANAGER JONES: When you did that...

BOARD MEMBER MILLER-ANDERSON: Cause when...

FINANCE DIRECTOR SHERMAN: What I'm...

BOARD MEMBER MILLER-ANDERSON: ...you said...

FINANCE DIRECTOR SHERMAN: ...saying is, it gives us the ability to get out from under this asset that, by the state statutes, we shouldn't have. We have it. Okay?

BOARD MEMBER MILLER-ANDERSON: Yeah. But you didn't...

FINANCE DIRECTOR SHERMAN: And that's fine.

BOARD MEMBER MILLER-ANDERSON: ...that wasn't the way you explained it. You said...

FINANCE DIRECTOR SHERMAN: Well, that's what I said. I tried to soften the words. I., 'illegal' probably wasn't the right...

DISTRICT ATTORNEY RYAN: Right.

FINANCE DIRECTOR SHERMAN: It's not a permissible investment. I couldn't go out and buy that stock today.

BOARD MEMBER MILLER-ANDERSON: But we can continue to have it and not be any...

UNK: Violation.

BOARD MEMBER MILLER-ANDERSON: Violation. Is that what we're saying?

FINANCE DIRECTOR SHERMAN: I, I don't know who would ever call you on...

BOARD MEMBER MILLER-ANDERSON: Well, people...

FINANCE DIRECTOR SHERMAN: ...something like that.

BOARD MEMBER MILLER-ANDERSON: ...that are sitting here...

FINANCE DIRECTOR SHERMAN: I, no.

BOARD MEMBER MILLER-ANDERSON: ...watching this...

FINANCE DIRECTOR SHERMAN: I don't.

BOARD MEMBER MILLER-ANDERSON: ... right now?

BOARD CHAIR PARDO: No, no, no.

FINANCE DIRECTOR SHERMAN: I mean, again, we have to report our investments to the state.

BOARD CHAIR PARDO: That's right.

FINANCE DIRECTOR SHERMAN: Okay? We have to have to have it.

UNK: [Inaudible].

FINANCE DIRECTOR SHERMAN: It has to be in a qualified investment bank. I mean, there, there's certain rules the state has and they have that to protect municipalities from investing in things that they don't feel are safe for them to invest in.

Which is why they don't allow us to get into stocks. But we do have it and it's reported and no one has ever said anything to it.

BOARD MEMBER MILLER-ANDERSON: Until now.

FINANCE DIRECTOR SHERMAN: The poi'...

BOARD MEMBER MILLER-ANDERSON: I, let me just say this. I wanna make sure that we are doing the correct thing and, Ms. Ryan, if you can get that in writing to us, find out from whoever you need to find out, are we okay if we keep it? Because I'm not, I'm not, no. I will not be sittin' up here getting penalized or called out on something that, it was said on live TV, 'Well, you, you heard him say it.'

CITY MANAGER JONES: [Inaudible].

BOARD MEMBER MILLER-ANDERSON: No. I'm not, no, I'm not gonna get caught up like that. So, I want., I will feel more comfortable with something being in writing stating, 'Hey. It's, it's okay. You got it twenty years ago, you may'..,' you know, whatever you just said...

DISTRICT ATTORNEY RYAN: Right.

BOARD MEMBER MILLER-ANDERSON: I will like to see that in writing. So I don't know who, whoever you would need to contact.

DISTRICT ATTORNEY RYAN: [Chuckle].

BOARD MEMBER MILLER-ANDERSON: I'm okay with that.

BOARD MEMBER THOMAS: I will like to know who would be able to give us that.

BOARD MEMBER MILLER-ANDERSON: Well, I...

BOARD MEMBER THOMAS: Is it a judge or is it...

BOARD CHAIR PARDO: No. The state audit bo'.., Board.

FINANCE DIRECTOR SHERMAN: Yeah.

BOARD CHAIR PARDO: Right?

FINANCE DIRECTOR SHERMAN: Well probably the state...

BOARD CHAIR PARDO: Yeah.

FINANCE DIRECTOR SHERMAN: ...could.

BOARD CHAIR PARDO: That's the state.

BOARD MEMBER THOMAS: Okay.

DISTRICT ATTORNEY RYAN: Well, you won't have that by Wednesday. I can tell you that.

BOARD MEMBER MILLER-ANDERSON: Well, I, you know...

DISTRICT ATTORNEY RYAN: We sho'...

BOARD MEMBER MILLER-ANDERSON: ...probably already know what I'm gonna say then on Wednesday. So, I, I need to know that before I make a decision on this.

BOARD MEMBER THOMAS: Everybody needs to know that.

BOARD MEMBER MILLER-ANDERSON: Of course. I'm just...

BOARD MEMBER THOMAS: Before we...

BOARD MEMBER MILLER-ANDERSON: ...speaking for me.

BOARD MEMBER THOMAS: ...make a decision. Yeah.

BOARD MEMBER MILLER-ANDERSON: Yeah.

BOARD MEMBER THOMAS: I, I agree.

DISTRICT ATTORNEY RYAN: Or, you...

BOARD MEMBER MILLER-ANDERSON: Well...

DISTRICT ATTORNEY RYAN: ...could just sell it...

BOARD MEMBER MILLER-ANDERSON: You may not wanna...

DISTRICT ATTORNEY RYAN: ...and don't have to worry about it.

BOARD MEMBER MILLER-ANDERSON: ...put this on the...

CHAIR PRO TEM DAVIS: No. No.

BOARD MEMBER MILLER-ANDERSON: ...Agenda on Wednesday.

BOARD CHAIR PARDO: No. There's...

CHAIR PRO TEM DAVIS: [Inaudible] stock first.

BOARD CHAIR PARDO: ...too many stockbrokers on the Board.

DISTRICT ATTORNEY RYAN: We could just sell it and be done with the issue.

CHAIR PRO TEM DAVIS: No.

BOARD MEMBER MILLER-ANDERSON: [Chuckle]. Did she just say that?

BOARD CHAIR PARDO: Whatever. Okay. Alright.

BOARD MEMBER GUYTON: Madam Chair.
[Inaudible background comments].

BOARD CHAIR PARDO: Yeah.

BOARD MEMBER GUYTON: One, one quick thing.

BOARD CHAIR PARDO: This is...

CHAIR PRO TEM DAVIS: Why we wasting all the time? There's no [inaudible] to this.

BOARD MEMBER GUYTON: What I'm understanding...
[Inaudible background comments]

BOARD MEMBER GUYTON: ...and, Mr. Sherman, correct me if I'm wrong. We can get the funds, they would be liquid and if we choose to reinvest them in a permissible area, we can do that? The money can still be in some area of the market that it can potentially still grow?

FINANCE DIRECTOR SHERMAN: Oh, absolutely.

BOARD MEMBER GUYTON: Okay. So., but right now with the, where it is, it restricts our opportunities of what we can do with it?

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER GUYTON: So, if we got it, we said we wanna invest it here, we can still have it in the market, it can still grow or not, but right now, where it is, it limits our opportunities and what we're able to do. And I think that is the crust of what, to me, is the impediment is it's limiting our opportunities now.

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER GUYTON: It's, it's not liquid. If we get it, it's still ours. We put it back in the market and we can still have it in the market if that's what the Board so chooses to do. But right now, it's in a stock that's not growing much and we can conceivably put it in the market and it may grow more or may not but we'll have more possibilities then. So, I, I think we're getting...

BOARD MEMBER THOMAS: Are you saying correct? Are you saying that he's correct with what he just said?

FINANCE DIRECTOR SHERMAN: Yes.

BOARD MEMBER GUYTON: Yeah. We can...

BOARD MEMBER THOMAS: But you just said...

BOARD MEMBER GUYTON: ...take it out...

BOARD MEMBER THOMAS: ...that we cannot...

BOARD MEMBER GUYTON: ...and put it in...

BOARD MEMBER THOMAS: ...have stock.

FINANCE DIRECTOR SHERMAN: No.

BOARD MEMBER GUYTON: No.

FINANCE DIRECTOR SHERMAN: That's not what he's saying.

BOARD MEMBER GUYTON: No. I just, I said...

FINANCE DIRECTOR SHERMAN: He's saying...

BOARD MEMBER GUYTON: ...put it in...

FINANCE DIRECTOR SHERMAN: ...Put it in a...

BOARD MEMBER GUYTON: ...a market.

FINANCE DIRECTOR SHERMAN: ...permissible investment.

BOARD MEMBER GUYTON: In a permissible...

CHAIR PRO TEM DAVIS: [Inaudible].

BOARD CHAIR PARDO: Right.

BOARD MEMBER GUYTON: ...investment.

CHAIR PRO TEM DAVIS: Money market.

BOARD MEMBER MILLER-ANDERSON: Like a money market?

BOARD MEMBER GUYTON: We can take it out and we can reinvest it that what the state statute says that...

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER GUYTON: ...we're allowed to invest in.

BOARD CHAIR PARDO: Correct.

BOARD MEMBER THOMAS: Or...

BOARD MEMBER GUYTON: And we can still have it in the market, it can still...

FINANCE DIRECTOR SHERMAN: Right. It just...

BOARD MEMBER GUYTON: ...be getting a return.

FINANCE DIRECTOR SHERMAN: ...wouldn't be in stock.

CHAIR PRO TEM DAVIS: I know, but...

BOARD MEMBER GUYTON: So, [stammer].

BOARD MEMBER THOMAS: Say that again.

FINANCE DIRECTOR SHERMAN: It just wouldn't be in stock.

BOARD MEMBER GUYTON: It wouldn't be in stock.
[Inaudible background comments]

BOARD CHAIR PARDO: Reduce your risk.

BOARD MEMBER THOMAS: So, what market will we invest it in?

FINANCE DIRECTOR SHERMAN: You can invest in treasuries, you can invest it in any government security, you can invest it in...

BOARD MEMBER GUYTON: A whole line of...

BOARD CHAIR PARDO: Mhmm.

BOARD MEMBER GUYTON: ...different things.

CHAIR PRO TEM DAVIS: Madam Chair?

FINANCE DIRECTOR SHERMAN: Or for bonds. I mean, but it's...

BOARD MEMBER GUYTON: [Stammer], I'm not quite done yet.

BOARD MEMBER THOMAS: No. I interrupted. Sorry.

BOARD MEMBER GUYTON: Yeah.

BOARD CHAIR PARDO: Right.

BOARD MEMBER GUYTON: So, that is what I'm hoping now, that we as a Board, understand that our option for keeping it in the market is not being eliminated by taking it out of this restrictive stock that we have. Cause it's limited now what we can do with it. It gives us more opportunities to get it liquid and then invest it in something that we may feel would be more viable. And that we may be able to get a larger return on.

FINANCE DIRECTOR SHERMAN: Correct.

BOARD MEMBER GUYTON: And, that is what...

BOARD CHAIR PARDO: And less risk.

BOARD MEMBER GUYTON: Yes. And less risk. So..., cause those stock markets, that's a big risk. We, we're complaining that we've had it but we can have zero if the market goes down. So, but we can take it out and put it into an account that's not so risky or, or, or a market that's not so risky.

CHAIR PRO TEM DAVIS: [Inaudible].
[Inaudible background comments]

BOARD MEMBER GUYTON: But that's, that's the only thing that I see is being asked of us. Let's take it out of this restrictive stock and put it in something that's more viable and conducive to what the City wants to do.

BOARD CHAIR PARDO: Right. Okay. Mr...

BOARD MEMBER GUYTON: That's it. Okay.

BOARD CHAIR PARDO: Mr. Davis, and then we need to move on here.

CHAIR PRO TEM DAVIS: Mr. Sherman, before we co'..., cause this coming back to us on Wednesday. Who are the new investors? Who is...

FINANCE DIRECTOR SHERMAN: You mean, who is buying...

CHAIR PRO TEM DAVIS: Yes.

FINANCE DIRECTOR SHERMAN: ...the stock?

CHAIR PRO TEM DAVIS: Yes.

FINANCE DIRECTOR SHERMAN: The company is buying the stock back.

CHAIR PRO TEM DAVIS: Which company is that?

FINANCE DIRECTOR SHERMAN: Solitron.

BOARD CHAIR PARDO: Solitron.

CHAIR PRO TEM DAVIS: Oh, they're...

FINANCE DIRECTOR SHERMAN: Yeah.

CHAIR PRO TEM DAVIS: Because you said new investors as if there was more people...

FINANCE DIRECTOR SHERMAN: No, no.

CHAIR PRO TEM DAVIS: ...involved.

FINANCE DIRECTOR SHERMAN: No. It was the Board of Directors of Solitron.

CHAIR PRO TEM DAVIS: Right.

FINANCE DIRECTOR SHERMAN: They authorized \$1,000,000 to buyback Solitron stock.

CHAIR PRO TEM DAVIS: Okay. And, and when did this action take place?

FINANCE DIRECTOR SHERMAN: Uh, they voted for that in, I believe, it was July.

CITY MANAGER JONES: They wrote to us.

FINANCE DIRECTOR SHERMAN: I think they announced the buyback in July.

CHAIR PRO TEM DAVIS: So, there's an interest out there for it?
[Inaudible].

CHAIR PRO TEM DAVIS: If they're buying it back?

CITY MANAGER JONES: Only...

BOARD CHAIR PARDO: No.

FINANCE DIRECTOR SHERMAN: No.

BOARD CHAIR PARDO: We...

CITY MANAGER JONES: They're buying back their stock.

CHAIR PRO TEM DAVIS: That's the Board...

BOARD CHAIR PARDO: That's it.

CHAIR PRO TEM DAVIS: ...of Directors? Is that what you're saying?

FINANCE DIRECTOR SHERMAN: The Board of Directors...

CHAIR PRO TEM DAVIS: Oh, okay.

FINANCE DIRECTOR SHERMAN: ...is buying it back.

CHAIR PRO TEM DAVIS: I'm not gonna say anything else. I'll just wait...

FINANCE DIRECTOR SHERMAN: And then they...

CHAIR PRO TEM DAVIS: ...until Wednesday.

FINANCE DIRECTOR SHERMAN: Right.

BOARD CHAIR PARDO: Okay. Alright. Great. Thank you.

DISTRICT ATTORNEY RYAN: Hold on. Hold on.

BOARD CHAIR PARDO: Yeah?

DISTRICT ATTORNEY RYAN: So, what are we doing?

CHAIR PRO TEM DAVIS: We wait until Wednesday.

BOARD CHAIR PARDO: Nothing. It goes to the Board on Wednesday.

DISTRICT ATTORNEY RYAN: I...

BOARD MEMBER MILLER-ANDERSON: My request still stands regarding the legal part of it.

BOARD CHAIR PARDO: Right.

BOARD MEMBER MILLER-ANDERSON: I mean, I'm not talking about...

FINANCE DIRECTOR SHERMAN: And we'll, we'll research...

BOARD CHAIR PARDO: We'll get your answers.

FINANCE DIRECTOR SHERMAN: ...that tomorrow.

BOARD MEMBER MILLER-ANDERSON: Okay.

BOARD CHAIR PARDO: Okay.

BOARD MEMBER THOMAS: Okay. So, Madam Chair?

BOARD CHAIR PARDO: Yeah.

BOARD MEMBER THOMAS: So, you're telling us that this Board is clearly not.., well, let me not say that. I am still not comfortable but I'mma still have to make a decision on Wednesday about this?

UNK: [Inaudible].

BOARD MEMBER THOMAS: No, no. That's...

BOARD CHAIR PARDO: The...

BOARD MEMBER THOMAS: ...what, that's what.., I wanna make sure.

FINANCE DIRECTOR SHERMAN: Well again, they have offered to purchase...

BOARD MEMBER THOMAS: How long does that offer stand?

FINANCE DIRECTOR SHERMAN: Well, they wo'.., I can get back to the attorney and see if we can get an extension but they were looking to close on Thursday.

BOARD MEMBER THOMAS: Without knowing... How do you get a closing date without knowing what the Board is going to say? How, how do I...

FINANCE DIRECTOR SHERMAN: I mean, they just... They're, like, 'You vote it on Wednesday. We'll close. We'll wire you the money on Thursday.'

BOARD MEMBER THOMAS: Okay. Uh...

DISTRICT ATTORNEY RYAN: If you don't, you [inaudible]...

BOARD MEMBER THOMAS: Maybe I, maybe I...

FINANCE DIRECTOR SHERMAN: If you don't, if you vote no, then we won't close.

BOARD MEMBER THOMAS: But how does a closing even get set up...

CHAIR PRO TEM DAVIS: Without knowing...

BOARD MEMBER THOMAS: ...without knowing how the Board would...

UNK: [Inaudible].

BOARD MEMBER THOMAS: ...would, would vote?

FINANCE DIRECTOR SHERMAN: Well again, you understand, I mean, this is just their attorney. Their, their attorney is gonna...
[Inaudible background comments]

FINANCE DIRECTOR SHERMAN: You're going to... Someone would execute the purchase and sale, we'll call it. Okay? They would execute it on their side, they'd pass it over to their bank and they'd wire you the money and we'd give 'em the stock certificate. I mean, it's not..., this isn't a house closing. I mean, this isn't that complicated.

BOARD MEMBER THOMAS: Did we, did we get any, uh, did we get any advice from, like, a person who deals with stocks or...

BOARD MEMBER GUYTON: [Inaudible].

BOARD CHAIR PARDO: I'm giving you...

FINANCE DIRECTOR SHERMAN: [Chuckle].

BOARD CHAIR PARDO: I'm giving you free advice.

BOARD MEMBER THOMAS: I, I get it.

BOARD CHAIR PARDO: But...

BOARD MEMBER THOMAS: Did we get any...

BOARD CHAIR PARDO: ...whatever.

BOARD MEMBER THOMAS: ...any advice from... Ms. Pardo, I get it.

BOARD CHAIR PARDO: No. Seriously.

BOARD MEMBER THOMAS: ...I understand. It's your business.

BOARD CHAIR PARDO: Come on.

BOARD MEMBER THOMAS: But you're not the only one making a decision. The rest of us have to...

BOARD CHAIR PARDO: But...

BOARD MEMBER THOMAS: ...be comfortable...

BOARD CHAIR PARDO: Right.

BOARD MEMBER THOMAS: ...with it too.

BOARD CHAIR PARDO: Fine. But I think I'm the most informed but we can go right ahead.

BOARD MEMBER THOMAS: And that's why I'm trying to get informed. Cause my decision counts as well. Did we get.., and it's a question...

FINANCE DIRECTOR SHERMAN: No.

BOARD MEMBER THOMAS: ...that I...

FINANCE DIRECTOR SHERMAN: The answer is...

BOARD MEMBER THOMAS: ...just wanna...

FINANCE DIRECTOR SHERMAN: ...no.

BOARD MEMBER THOMAS: Okay. Do you think it maybe would be prudent for us to at least get the advice of somebody to say, 'Hey, look. Maybe you should, maybe you shouldn't.' At least give us something. We don't have anything. No white paper on this, no nothing. Just sell it and if you don't, not willing to sell it, you're making a bad decision. I'm, I'm not doing that. I'm, I'm just not doing that. You know? Now, I'm only one person on the Board. If the Board is gonna make that decision on Wednesday, then fine. But I just don't think it's the best time to make...

FINANCE DIRECTOR SHERMAN: Right.

BOARD MEMBER THOMAS: ...a decision. That's, that.., that's all. I don't wanna frustrate anybody.
[Chuckle]

FINANCE DIRECTOR SHERMAN: Okay.

CHAIR PRO TEM DAVIS: So, are we gonna get an opinion?

BOARD CHAIR PARDO: Great.

FINANCE DIRECTOR SHERMAN: It'll be back Wednesday.

CHAIR PRO TEM DAVIS: Are we gonna have an opinion next Wednesday?

FINANCE DIRECTOR SHERMAN: To what?

CHAIR PRO TEM DAVIS: A legal opinion's coming back Wednesday as well?

FINANCE DIRECTOR SHERMAN: I will, I will try to contact the state tomorrow and find out what their...

CHAIR PRO TEM DAVIS: Yeah. That will help...

FINANCE DIRECTOR SHERMAN: ...issue is.

CHAIR PRO TEM DAVIS: ...a lot.

BOARD MEMBER GUYTON: And, and, and that five year performance.

FINANCE DIRECTOR SHERMAN: And the five year.

BOARD MEMBER GUYTON: Yeah.

BOARD CHAIR PARDO: Okay. Thank you. Statements by... Mr. Aurigemma, did you have anything else?

EXECUTIVE DIRECTOR AURIGEMMA: No, Madam Chair.

STATEMENTS BY THE DISTRICT BOARD

BOARD CHAIR PARDO: Thank you. Okay. Statements by the District Board. We'll start with Ms. Miller-Anderson.

BOARD MEMBER MILLER-ANDERSON: I don't have any at this time.

BOARD CHAIR PARDO: Mr. Guyton.

BOARD MEMBER GUYTON: I have nothing.

BOARD CHAIR PARDO: Mr. Thomas.

BOARD MEMBER THOMAS: Nothing.

BOARD CHAIR PARDO: Mr. Davis.

CHAIR PRO TEM DAVIS: Nothing.

BOARD CHAIR PARDO: Alright. I have one thing. I wanna remind the residents, if you would like to participate in my toy drive and you're in need of toys, you have a couple of more days to come into the Council office, with proof of residency, to fill out an application for the toys. The toy drive will take place on December 3rd from 6:00 to 10:00 p.m. at Johnny Longboats on Singer Island. If you have any questions, you can call the Council office at 845-4095.

ADJOURNMENT

BOARD CHAIR PARDO: With that. There's no more business. We are adjourned. Thank you.

There being no further business, the meeting was duly adjourned at 6:42 p.m.

[Gavel]

Public Comments and Other Speakers

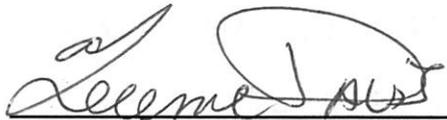
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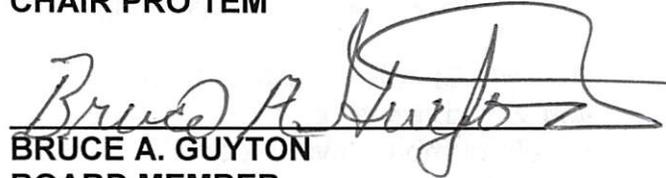
APPROVED:


DAWN S. PARDO
CHAIRPERSON

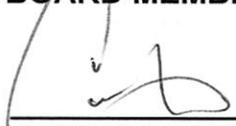
ATTEST:


CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK


TERENCE D. DAVIS
CHAIR PRO TEM


BRUCE A. GUYTON
BOARD MEMBER


KaSHAMBA L. MILLER-ANDERSON
BOARD MEMBER


CEDRICK A. THOMAS
BOARD MEMBER

MOTIONED BY: T. DAVIS

SECONDED BY: C. THOMAS

B. GUYTON AYE

K. MILLER-ANDERSON AYE

C. THOMAS AYE

D. PARDO AYE

T. DAVIS AYE

DATE APPROVED: DECEMBER 14, 2015