

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT BOARD MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, SEPTEMBER 19, 2012, AT 6:00 P.M.**

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

CHAIRPERSON BROOKS: We'll get started shortly. We waiting for our City Clerk. I was gonna ask (inaudible) to close the door. We get started. Thank you. Well, good evening, everyone. We're about to get started with our Utility Special District Board meeting. I would ask everyone to silence your phones. Okay. Ready for -- Madam Clerk, may we have the roll call, please?

DEPUTY CLERK ANTHONY: Chairperson Billie Brooks?

CHAIRPERSON BROOKS: Here

DEPUTY CLERK ANTHONY: Chair Pro Tem Dawn Pardo?

CHAIR PRO TEM PARDO: Present.

DEPUTY CLERK ANTHONY: Board Member Judy Davis?

BOARD MEMBER DAVIS: Here.

DEPUTY CLERK ANTHONY: Board Member Cedrick Thomas?

BOARD MEMBER THOMAS: Here.

DEPUTY CLERK ANTHONY: Board Member Shelby Lowe?

BOARD MEMBER LOWE: Here.

DEPUTY CLERK ANTHONY: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

DEPUTY CLERK ANTHONY: Executive Director Louis Aurigemma?

EXECUTIVE DIRECTOR AURIGEMMA: Here.

DEPUTY CLERK ANTHONY: Deputy District Clerk Claudene Anthony is present. Assistant District Attorney Valencia Stubbs?

ASSISTANT DISTRICT ATTORNEY STUBBS: Present.

DEPUTY CLERK ANTHONY: Interim District Finance Director Karen Hoskins.

INTERIM DISTRICT FINANCE DIRECTOR HOSKINS: Present.

CHAIRPERSON BROOKS: Okay. Now, we will all stand for the Invocation and Pledge of Allegiance, led by Councilman Lowe. (Everyone stood for the Invocation and Pledge of Allegiance being led by Councilman Lowe).

CHAIRPERSON BROOKS: Okay, sir. Do we have any additions, deletions, or

substitutions?

EXECUTIVE DIRECTOR AURIGEMMA: No, ma'am.

CHAIRPERSON BROOKS: All right. Then I'd like to get a motion for the adoption of the agenda?

CHAIR PRO TEM PARDO: So moved.

BOARD MEMBER THOMAS: Second.

CHAIRPERSON BROOKS: Roll call, please?

DEPUTY CLERK ANTHONY: Board Member Lowe?

BOARD MEMBER LOWE: Yes.

DEPUTY CLERK ANTHONY: Board Member Davis?

BOARD MEMBER DAVIS: Yes.

DEPUTY CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DEPUTY CLERK ANTHONY: Pro Tem Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Our first item, Consent Agenda. All matters listed under this item are considered to be routine and action will be taken by one motion. There will be no separate discussion of these items unless a councilperson 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. The -- may I have a motion?

CHAIR PRO TEM PARDO: Yeah, motion to approve consent.

BOARD MEMBER THOMAS: Second.

BOARD MEMBER DAVIS: Some --

CHAIRPERSON BROOKS: Roll call, please.

DEPUTY CLERK ANTHONY: Board Member Lowe?

BOARD MEMBER LOWE: Yes.

DEPUTY CLERK ANTHONY: Board Member Davis?

BOARD MEMBER DAVIS: Yes.

DEPUTY CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DEPUTY CLERK ANTHONY: Vice Chair Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: I have one consent -- uh, public comment card, so if there are any others, please make sure that we get them. That will be at 6:15. Okay. Moving on to the regular business. Resolution number 3, please.

DEPUTY CLERK ANTHONY: A resolution of the Board of Directors of the City of Riviera Beach, Utilities Special District, Palm Beach County, Florida, approving the purchase of one 2012 Ford F-150, regular cab, four by four, in an approximate amount of \$23,870 from Alan Jay Automotive Network, Sebring, Florida, utilizing the Sheriff's Office and local governmental agencies of the State of Florida Cooperative Bid for pursuit, administrative, non-pursuit utility vehicles, trucks, vans and other fleet equipment, Contract Bid Number 11-19-0917 authorizing the Interim Finance Director to make payment from the vehicle line item number 411-1417-536-0-6451, and providing an effective date.

BOARD MEMBER DAVIS: So moved.

BOARD MEMBER THOMAS: So moved.

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON BROOKS: Any discussion on that?

EXECUTIVE DIRECTOR AURIGEMMA: Um, at -- on September 6th we had an accident at the water plant in which, uh, a pickup truck was crushed by a -- a rental crane. Uh, fortunately, no one was injured and I had money in our capital line item to replace that vehicle, so we moved very quickly to get this on the agenda for this capital year.

CHAIRPERSON BROOKS: Any questions?

BOARD MEMBER THOMAS: Yes. Um --

CHAIR PRO TEM PARDO: I --

CHAIRPERSON BROOKS: Miss -- Mr. Thomas.

BOARD MEMBER THOMAS: What -- I see it's a four by four. Um, is -- is there a specific need for the four by four, or --

EXECUTIVE DIRECTOR AURIGEMMA: Yes. Yes, sir, Mr. Thomas. This is used by our engineering technicians that go out to construction sites and they also mark utilities, utilities not only on roadways, but also in easements. And sometimes they go off road and we don't want them getting stuck in the sand.

BOARD MEMBER THOMAS: What was the difference in price between a regular, uh, four by two and a -- and the four by four?

EXECUTIVE DIRECTOR AURIGEMMA: I believe it's only a couple thousand dollars.

BOARD MEMBER THOMAS: And this -- the truck that was crushed, was that a four by four, as well?

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER THOMAS: Okay. And that was a Ranger, and this is a --

EXECUTIVE DIRECTOR AURIGEMMA: No, that was an F-150 four by four.

BOARD MEMBER THOMAS: The one that was --

EXECUTIVE DIRECTOR AURIGEMMA: The -- the one that got crushed was that.

BOARD MEMBER THOMAS: Okay. So --

EXECUTIVE DIRECTOR AURIGEMMA: Yeah, they're both the same -- same vehicle.

BOARD MEMBER THOMAS: So you're replacing the same vehicle?

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER THOMAS: Okay. All right.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Pardo.

CHAIR PRO TEM PARDO: Okay. So I just want to make sure that we're clear. The truck that got crushed had insurance, so temporarily we'll take the funds from the capital fund until we receive the insurance?

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am. As soon as all the insurance adjustments, we'll get reimbursed.

CHAIR PRO TEM PARDO: Okay. All right. Thank you.

CHAIRPERSON BROOKS: Any further questions? Comments? Roll call, please.

DEPUTY CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DEPUTY CLERK ANTHONY: Board Member Lowe?

BOARD MEMBER LOWE: Yes.

DEPUTY CLERK ANTHONY: Board Member Davis?

BOARD MEMBER DAVIS: Yes.

DEPUTY CLERK ANTHONY: Vice Chair Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Item number 4?

DEPUTY CLERK ANTHONY: A resolution of the Board of Directors of the City of Riviera Beach Utilities Special District, Palm Beach County, Florida, approving the Senior Utility Assistance Program to help Riviera Beach low income senior citizens with financial assistance in paying their water bill in the amount of \$120,000, up to 1,000 households at \$10 per month, and authorizing the Interim District Finance Director to make payments from Account Number 411-1417-536-0-4801, not to exceed \$120,000, and providing an effective date.

BOARD MEMBER LOWE: So moved.

CHAIR PRO TEM PARDO: Second.

CHAIRPERSON BROOKS: Well, I'll explain this one. Uh, in 2010 you all were so generous and gracious enough to approve, um, this program. Only 56 people actually were approved for it, and it was because of the application itself, which really was asking for more information than we needed for the small sum of money. So now we have, thanks to Dr. Aurigemma and, I believe, Mary McKenna -- uh, McKinney and others who got involved in this to make it happen again this year for, um, our seniors, and I'm sure they'll be so appreciative, because many have really been having a very difficult time just trying to make, uh, their payments. So, uh, um, I do thank you all for, um, uh, considering this. Uh, we don't have a comment card?

BOARD MEMBER DAVIS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Miss Davis?

BOARD MEMBER DAVIS: Yeah. Um, my only question is, being that the -- I know that the application was cumbersome, because I helped some people fill it out, but, um -- and I see, uh, is this here what you've redone, the application in the back? That's what you've --

CHAIRPERSON BROOKS: That's --

BOARD MEMBER DAVIS: -- redone?

CHAIRPERSON BROOKS: Yes. That's the application.

BOARD MEMBER DAVIS: It's a lot simpler?

CHAIRPERSON BROOKS: Oh, much simpler.

BOARD MEMBER DAVIS: Okay. Um, so do you think, though, that, um, you're going to get \$120,000 in people signing up --

CHAIRPERSON BROOKS: What -- what has been --

BOARD MEMBER DAVIS: -- for it?

CHAIRPERSON BROOKS: -- estimated here is that each person -- actually, it should be \$10.76.

BOARD MEMBER DAVIS: Uh-huh.

CHAIRPERSON BROOKS: Uh, we're looking at approximately 1,000 households.

BOARD MEMBER DAVIS: Uh-huh.

CHAIRPERSON BROOKS: Uh, would be, uh, um, eligible out of this amount of money. So we're at --

BOARD MEMBER DAVIS: Okay.

CHAIRPERSON BROOKS: The first 1,000 would be -- um, after that it --

BOARD MEMBER DAVIS: Okay.

CHAIRPERSON BROOKS: -- would be capped out.

BOARD MEMBER DAVIS: All right. Thank you.

CHAIRPERSON BROOKS: You're welcome. And, uh, sir, you said this application will be online?

EXECUTIVE DIRECTOR AURIGEMMA: Uh, we haven't put it online yet, but, uh, yes, it will be online and it will also be down at the water billing office for any walk-ins that -- if they need, uh, the actual application.

CHAIRPERSON BROOKS: And my office will make sure that some of these applications get out to community agencies, uh, as well as the churches. We really want to make sure that all this money is spent. All right. Being no further comments, then we're ready for the vote, please.

DEPUTY CLERK ANTHONY: Board Member Lowe?

BOARD MEMBER LOWE: Yes.

DEPUTY CLERK ANTHONY: Board Member Davis?

BOARD MEMBER DAVIS: Yes.

DEPUTY CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DEPUTY CLERK ANTHONY: Vice Chair Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Item 5, please.

DEPUTY CLERK ANTHONY: A resolution of the Board of Directors of the City of Riviera Beach Utilities Special District, Palm Beach County, Florida, approving the interlocal agreement between the City of Riviera Beach Utilities Special District and the Riviera Beach Redevelopment Agency for the design, coordination, and construction management for overhead utility burial within the U.S. 1 corridor and the CRA Marine District South area, authorizing the Chairman and the Executive Director to take such actions as shall be necessary and consistent to carry out the intent of the agreement and provide an effective date.

BOARD MEMBER LOWE: So moved.

BOARD MEMBER DAVIS: So -- second.

CHAIRPERSON BROOKS: Okay. This was an action that we took on the CRA side, but if you want to speak to it?

EXECUTIVE DIRECTOR AURIGEMMA: Uh, yes, ma'am. Um, as -- as you mentioned, the City Council, acting as the CRA Board, approved this interlocal agreement with the, uh -- with the Utility District, so now we have to bring this to the Utility District Board so that they can act on it and finalize the interlocal agreement.

CHAIRPERSON BROOKS: Thank you. I don't have a comment card. Any comments or questions from the Board? If there be none, let's go for the --

DEPUTY CLERK ANTHONY: Board Member Lowe?

BOARD MEMBER LOWE: Yes.

DEPUTY CLERK ANTHONY: Board Member Davis?

BOARD MEMBER DAVIS: Yes.

DEPUTY CLERK ANTHONY: Board Member Thomas?

BOARD MEMBER THOMAS: Yes.

DEPUTY CLERK ANTHONY: Vice Chair Pardo?

CHAIR PRO TEM PARDO: Yes.

DEPUTY CLERK ANTHONY: Chair Brooks?

CHAIRPERSON BROOKS: Yes.

DEPUTY CLERK ANTHONY: Unanimous vote.

CHAIRPERSON BROOKS: Okay. Well, um, we do have one comment card from -- public comment card. This is for Judith Thomas, and you will be allowed three minutes to -- to speak. Miss Thomas?

JUDITH THOMAS: Good afternoon. Judith Thomas. Good afternoon, Board. Um, I'm here because I have a concern, and that is, um, I owned a property at 1312 Lucaya and it's been billed consecutively since February of 2011 where there's been no water at that property since February of 2011. Prior to that I had water and I was told that there is an ordinance -- there's an ordinance on the books that requires us to have water because it's an essential service, and so therefore we're consistently billed on it, because it's an essential service.

However, I'm just a little concerned in that if it's an essential service, and I haven't received water at that site since February of 2011, I had a bill for 400 and -- \$459.15. I've paid it. I went to the Utility Billing Department and I paid. I asked, you know, really, what is that amount? And I was told that, Well, you have to pay the bill, because it's a standing ordinance. I paid when I was asked what the total amount was, was \$453 and change. Then I received another bill that actually said \$414.15. Nevertheless, I paid the money.

What I don't understand is this, is that if it's an essential service, then I should be receiving water. It was turned off for lack of payment, but I'm consistently being billed for it. Now, um, I would say that's considered exaction. I'm receiving no service, but I'm being billed for service minimum. It's also, in my opinion, extortion, because it's like, why am I being billed for an essential service that I'm not receiving.

I just want to say, there need to be some form of a policy. I would say just like FPL, which I would consider is an essential service, if they shut off your light they don't continue to bill you. They stop. In fact, in order to establish service with FPL you have to give a deposit. I would say that we need to figure out some other form of billing our residents as far as a service that's not being provided. That's my concern.

Writing an ordinance doesn't make it right. It just makes it legal for you to collect the funds. Thank you.

CHAIRPERSON BROOKS: Miss Thomas, um, I want to be clear. You -- the \$400 --

JUDITH THOMAS: Yes, ma'am.

CHAIRPERSON BROOKS: -- and whatever, that was -- what was it?

JUDITH THOMAS: Non -- that's no water from 2011 until current. That's what that is.

CHAIRPERSON BROOKS: Were you given an explanation --

JUDITH THOMAS: Yeah. The explanation --

CHAIRPERSON BROOKS: -- about the -- and that represented how many months?

JUDITH THOMAS: From February of 2011 to current of -- let's see here. This is now September? September 13th. So that's 17 months. So that's 17 months of non-water, no water at that site. Now, if I understand the minimum payment, just even for minimum use, is probably \$33 and change.

CHAIRPERSON BROOKS: Uh-huh.

JUDITH THOMAS: So in essence, I'm just being billed for no water. I'm just saying that I'm -- I paid the bill.

CHAIRPERSON BROOKS: What you're saying is the stand-by fee and -- and what you're saying --

JUDITH THOMAS: But I'm just saying to you, though --

CHAIRPERSON BROOKS: -- you accepted that explanation, but it -- you hear the explanation.

JUDITH THOMAS: It's \$33 for -- for --

CHAIRPERSON BROOKS: But what --

JUDITH THOMAS: That's what I am saying. So even your stand-by fee is really pretty much the same of non-usage, because that's what it is. I mean, there ought to be something. I'm just saying, there ought to be something, whether it's a deposit and then

after so many months that you don't use it, then return the deposit to the resident. But to continue to bill a resident, and there's no water -- you've actually shut off the water -- and to continue to bill them and say, Well, here's your stand-by fee, what am I being stand-by for? I'm not getting any water to the property. That's just my opinion.

CHAIRPERSON BROOKS: Opinion, right, uh-huh.

JUDITH THOMAS: Okay? And I'm just saying that if you have an ordinance, and in fact there's an ordinance, the ordinance doesn't make it right. It just makes it legal for you to bill me.

BOARD MEMBER THOMAS: Madam Chair?

CHAIRPERSON BROOKS: Yes, Mr. Thomas.

BOARD MEMBER THOMAS: Uh, Mr. -- Dr. Aurigemma, um, uh -- that was the only comment card that you had, uh, Madam Chair?

CHAIRPERSON BROOKS: That's the only one that they --

BOARD MEMBER THOMAS: Okay.

CHAIRPERSON BROOKS: -- gave me, yes.

BOARD MEMBER THOMAS: I, um -- I have a few questions for you. First -- first, um, it's -- it's -- it's, uh -- my -- my questioning is -- is about another situation, but can you shed some light on that? Do we still bill even if we're not providing water to the -- to the resident?

EXECUTIVE DIRECTOR AURIGEMMA: It -- it just depends on -- on the type of account. Meaning, uh -- and -- and again, I have to look into your account. I -- this is the first I've heard of it, so I'll get with Miss Hoskins and Miss Jackson to investigate this particular account.

BOARD MEMBER THOMAS: Well, that -- that's gonna be a -- a situation, because I'm about to ask you some questions on another account. How is it that a resident is saying that they've spoken with somebody here, but no one can seem to recollect, you know, what's going on, um, about that? Where -- who -- who is the individual, and -- you know, we have a rule that you can't keep coming back and forth to the mic, but I just want to ask you a question. Who is the -- the individual that you spoke with in reference to this?

JUDITH THOMAS: Well, I did go to the counter and I spoke to one of the representatives there, and I paid, and in fact, um, I don't even want to call a name and just point. I -- but I can certainly identify the person if I saw them.

BOARD MEMBER THOMAS: Okay.

JUDITH THOMAS: But they came up and, you know, and said to me, "Mrs. Thomas, this is it. And if you want to argue it, you just have to argue with the ordinance."

BOARD MEMBER THOMAS: Okay. I got -- I got you. I got you. So that apparently a supervisor wasn't handling this, and this was handled at the counter level. I understand. But needless to say, it's -- it's an issue. Which brings me to my next

point. Um, right before this meeting I was, um -- I had a meeting with, um, some residents from, uh, our neighboring city, Palm Beach Shores, where we provide them water service. And they're having an issue that they've -- that they're -- them -- they -- that they've represented to me that's been going on for about two years, um, in terms of an enormous bill. They say they've spoken with you. Do -- they're from Mayan Towers. Do you recollect any of --

EXECUTIVE DIRECTOR AURIGEMMA: Uh, yes. Uh, soon after I started with the Utility District I became aware of this problem. Yes, sir.

BOARD MEMBER THOMAS: Can you give the Board just a quick summation of what's going on with that?

EXECUTIVE DIRECTOR AURIGEMMA: Uh, briefly, um, there was a problem with their, uh, water meter, meaning that they had a -- a very high flow, and there was a complaint about that.

BOARD MEMBER THOMAS: Uh-huh.

EXECUTIVE DIRECTOR AURIGEMMA: So prior to me starting with the Utility District, the water meter was changed. This is a large meter. I believe it's a six or an eight inch meter. I don't recall offhand.

BOARD MEMBER THOMAS: Yeah.

EXECUTIVE DIRECTOR AURIGEMMA: Or maybe it's a four inch meter. But, uh, it's a large meter. It was changed, and the claim was that the old meter was not accurate.

BOARD MEMBER THOMAS: Uh-huh.

EXECUTIVE DIRECTOR AURIGEMMA: And we tested the old meter, and in fact, it was not accurate. It was running slow. Old meters typically run slow. It was only measuring water at about 76 percent.

BOARD MEMBER THOMAS: Okay.

EXECUTIVE DIRECTOR AURIGEMMA: Now, that's when the high flow came through. It was through that -- that high -- that old meter. So it was changed.

Um, I was contacted by Mayan Towers. I went out there more than once and, uh, we could not track down where the problem was. There was -- water went through the meter, but we just couldn't track it down. So, um, I did offer a credit to Mayan Towers for a sewer adjustment, because if it was irrigation water or something, it doesn't go into the sanitary sewer.

BOARD MEMBER THOMAS: What was that credit?

EXECUTIVE DIRECTOR AURIGEMMA: I don't recall offhand.

BOARD MEMBER THOMAS: Well, I guess what I really want you to explain to us, if the -- if the resident -- and this is from bills that they've received -- um, that it's been between 3,500 and 3,700 per month, and then it goes to \$15,000, um, a month, but we only adjusted very small, why -- what was the -- if you -- if you given a -- if -- if you were able to give an adjustment, that must mean that it was some issue that you

thought warranted an adjustment.

EXECUTIVE DIRECTOR AURIGEMMA: Well, the adjustment was for sewer only, meaning that the water didn't go down the toilet.

BOARD MEMBER THOMAS: I get you. I get you.

EXECUTIVE DIRECTOR AURIGEMMA: So I can offer that adjustment to a customer.

BOARD MEMBER THOMAS: I understand. So they still have a -- a balance of somewhere around \$11,000 that they're carrying.

EXECUTIVE DIRECTOR AURIGEMMA: I believe so.

BOARD MEMBER THOMAS: And this has been going on for two years, so I'm shocked that this is the first time that we've heard about it, um, but they're -- they're -- they're here, and what we need to do is -- because I've been told, and I said I'm sure that it's a misunderstanding somewhere, something of this magnitude our staff surely would handle. And they provided a list of e-mails that have been unreturned. So, um, if -- if at all, when we get done with this meeting, it's that row -- one, two, three, four -- it's that fourth row down with everybody that's on that row.

EXECUTIVE DIRECTOR AURIGEMMA: Yes.

BOARD MEMBER THOMAS: Would you please meet with them now so we can get a -- or so they can get an understanding of where we are in the process. Um, they were told that the City Council is going to do something about this, and this is the first that I've heard of it today. So if you could, just so we can straighten it out and they understand, um, what's going on, that -- that would be better.

And when things like this happen, if we can get some type of notification that they're going on, you know, so that I can provide some level of -- of answer to them, but to carry an \$11,000 balance. I've been told that they're still paying about \$3,700 a month, um, because that's what they feel that their bill should be, just in good faith to say, Hey, we're not trying to get out of paying, but we definitely don't think that we should have this \$11,000 credit.

So I'm sure that you -- you didn't know that we were gonna discuss this tonight. I didn't know that we were gonna discuss it tonight, but, um, maybe by -- you know, maybe by next Wednesday you can have me something in writing that I can have, but tonight, um, would you please speak with that row?

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir. Thank you.

CHAIR PRO TEM PARDO: Madam Chair?

CHAIRPERSON BROOKS: Yes, ma'am.

CHAIR PRO TEM PARDO: All right. I just want everyone to be aware that Mr. Aurigemma and our, um, city attorney, um, we had scheduled a meeting with them and we were scheduled to meet with them at 5:30 today, but I guess they had a meeting with someone else and they were running late. And by the time they were ready to meet with us, this meeting was starting, so, I -- you know.

BOARD MEMBER THOMAS: That was -- yeah, that was probably me. I wasn't aware of their previous -- um, the previous meeting, um, so they were probably meeting with me.

CHAIR PRO TEM PARDO: Right.

BOARD MEMBER THOMAS: And the attorney was going to be meeting with you on --

CHAIR PRO TEM PARDO: The attorney and the residents were meeting with our Executive Director and our City Attorney and I. And, um, um, I did meet with them for maybe a minute and a half prior to the meeting and I asked them if we could set up a meeting for next week.

BOARD MEMBER THOMAS: Okay.

CHAIR PRO TEM PARDO: So, um --

BOARD MEMBER THOMAS: You know, that would be fine. They were in my office at the start of this meeting so I said, "You might as well come up. I am gonna talk to them about it." So -- but I don't want them to wait a week for you to talk to them, so please talk to them tonight, and whatever we need to -- to do to look into it, that's something that, uh, we need.

And I'm just asking, you know, as a member of the Board. If something is lingering on for two years like that, and people are -- they're still paying the bill. They're -- they're clearly having an issue, so we probably need to be able to resolve an issue, you know, in less than two years. I would -- I would think that would be a reasonable request.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER LOWE: Madam Chair?

CHAIRPERSON BROOKS: I just -- oh, go ahead.

BOARD MEMBER LOWE: Yes. I did speak with the Mayan Towers' attorney, and I think it was about three weeks ago, and looked through the, uh, information that the attorney presented and noticed that there were two anomalies, uh, in their, uh, billing history which showed two significant spikes. Uh, and I think they were probably at, uh, three to four months apart from each other. But it did seem abnormal, and I asked that he present the exact bill for that month so we could, uh, discern whether or not it was a sewer charge or a water charge.

And I -- you know, because I was trying to determine whether, you know, it was something that they did, maybe filled the pool for that month, or there was a leak. But for it to happen twice, you know, and the -- you know, I just figured that maybe it's an electronic malfunction or something like that. And you know, we kinda came to terms. And when he left the meeting he was supposed to do some due diligence and bring back that bill and make contact with you in terms of trying to point out where this mistake was.

I'm calling it a mistake because right now no one can explain the two spikes in their bill, which is significant. If you have an average bill that you're paying on a

consistent basis and then it jumps five times the amount, goes back down to average, and then six months later it jumps up another five times the amount, then something's -- something's wrong. And, um, you know, I just ask that we -- we kinda determine what happened, uh, whether or not it was an electronic malfunction or a billing malfunction or there's some type of physical malfunction on the premises.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER LOWE: Um, with the Miss Thomas situation, doing the math, the stand-by fee kinda really falls in line with a 17 -- 17-month charge. Seventeen months divided by 453 roughly is about \$26 a month. Now, the stand-by fee, I don't -- it was before me. I don't know why it's in place or what's the significance of it. You know, that's a -- you know, that's something that has to be explained to me a little bit. And the ordinance, just as she said, is just a law which, you know, we have the power to change, you know, at any given time. But primarily, you know, I just want to see those - - these type of questions, you know, addressed promptly and, um, I want, you know, some answers to that, especially that -- the latter case with Mayan Towers.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER LOWE: And, um, in good faith, they have been paying but we want to find out, you know, what's going on in terms of those big, astronomical differences.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER THOMAS: Madam Chair, one more thing.

CHAIRPERSON BROOKS: Let me -- okay.

BOARD MEMBER THOMAS: Um, the -- I was also told that they're not getting a bill, and they're still paying just what they think, but they -- they have not gotten a bill, um, and that when they ask for it, it gets faxed over. But that's what -- that's what was told to me today, and they're -- they're -- they haven't left. They're sitting right there, but they're not getting a bill, so definitely let's make sure that they get a bill. I'm glad that they're still paying, even though they have not gotten a bill, but definitely -- I did also hear that they got a turn-off notice, uh, but it was lifted some type of way. I didn't get a chance to get all the way into that, but I -- and -- and -- and we're right up against another meeting, and I know some of the other members have questions, but that -- that -- that's vitally important with both of those --

EXECUTIVE DIRECTOR AURIGEMMA: Yes, sir.

BOARD MEMBER THOMAS: -- um, issues, uh, with the stand-by. And I've been saying for a long time, we need to explain this, put it on TV18, do whatever we need to do so that everybody has an understanding of it. We -- we're not trying to point a finger or blame anybody. We just need to make sure that our residents are educated on whatever our process is. That's all.

CHAIRPERSON BROOKS: I -- I want to comment that I had mentioned in one of our meetings, uh, last month or sometime this month, that, um, my office has begun an investigation on the meters. It has come to our attention that CNN did an investigation on the manufacturer of these meters, Neptune.

We have heard so many complaints from our residents, from our business customers. I mean, we've got to know that something is wrong and it's an injustice if we don't do research to find out what it is. And as I shared with you, we're not -- blame won't be assigned to you. Blame won't be assigned to the City Manager. What we're trying to determine is -- is something has got to be wrong. They're -- either the meters are defective or the installation was improper. There are just too many complaints. There are other cities in this United States of America that has the same, uh, system, and they're going through the same complaints.

So we are doing a very detailed investigation on this and a report will be made. And if we need to look at our system, see that we need to make some corrective action, and in the meantime we've gotta -- if we do -- if it is determined that the system is just all messed up, then we've got to really do something to help all of our residents with this matter. So we are doing an investigation and a report will be submitted to you, sir, and to the City Manager, and to our residents, because it's just -- too many people are being hurt by this.

And too many people cannot afford to, you know, be told, All right, you have a 4 or \$500 bill. We'll allow you to make a payment towards it, because it's hurting them. It's really hurting everyone. So you know, uh, enough is enough, and I want everyone to know that we really care about this matter, and we don't want to put a Band-Aid approach and just do it one by one. We need to see what is going on, and I mean, we need to do it right now.

EXECUTIVE DIRECTOR AURIGEMMA: Yes, ma'am.

CHAIRPERSON BROOKS: So, okay. That's just my spiel on that. Any other comments?

CHAIR PRO TEM PARDO: Madam Chair, I have a question.

CHAIRPERSON BROOKS: Yes, ma'am.

CHAIR PRO TEM PARDO: Did, um -- did this leak happen in -- which Mayan Towers, the north or the south?

AUDIENCE: North. North.

CHAIR PRO TEM PARDO: Okay. Did it happen while the construction next door was going on?

AUDIENCE: No.

CHAIR PRO TEM PARDO: So the construction was already done?

AUDIENCE: Absolutely.

BOARD MEMBER LOWE: (Inaudible) had the leak.

CHAIR PRO TEM PARDO: Okay. All right. That's all I have.

CHAIRPERSON BROOKS: Okay. Any discussion by the Executive Director?

EXECUTIVE DIRECTOR AURIGEMMA: None, ma'am.

CHAIRPERSON BROOKS: Any legal, uh, discussion?

ASSISTANT DISTRICT ATTORNEY: No.

CHAIRPERSON BROOKS: Any, uh, discussions from the board members? Any further discussion? Mr. Thomas?

BOARD MEMBER THOMAS: None for me.

CHAIRPERSON BROOKS: Miss Pardo?

CHAIR PRO TEM PARDO: No.

CHAIRPERSON BROOKS: Miss Davis? Mr. Lowe? And none for me. If there be none, then I need a motion to adjourn.

BOARD MEMBER THOMAS: So moved.

BOARD MEMBER DAVIS: Did we vote on the -- this last?

CHAIRPERSON BROOKS: Yeah, we got --

BOARD MEMBER DAVIS: Oh, we did? All right.

CHAIRPERSON BROOKS: We've just done public comments, yeah.

BOARD MEMBER DAVIS: Sorry. Okay.

CHAIRPERSON BROOKS: Okay. Then we will start our meeting, uh -- what time would y'all like to, uh, begin our regular meeting?

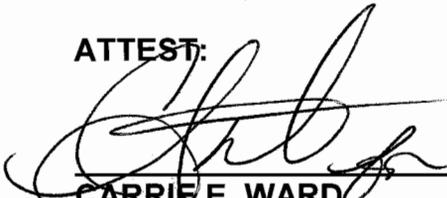
BOARD MEMBER THOMAS: Immediately, 'cause then, uh --

CHAIRPERSON BROOKS: Okay. Well, we'll have to (inaudible). Uh-huh.

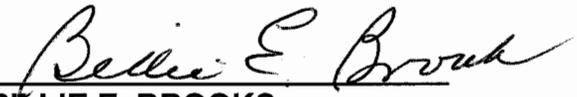
(CONCLUSION OF MEETING)

APPROVED:

ATTEST:



 CARRIE E. WARD
 MASTER MUNICIPAL CLERK
 UTILITY SPECIAL DISTRICT CLERK



 BILLIE E. BROOKS
 CHAIRPERSON



 DAWN S. PARDO
 VICE CHAIRPERSON



 JUDY L. DAVIS
 BOARD MEMBER



 CEDRICK A. THOMAS
 BOARD MEMBER



 ABSENT
 SHELBY L. LOWE
 BOARD MEMBER

MOTIONED BY: C. THOMAS
 SECONDED BY: D. PARDO

B. BROOKS AYE
 D. PARDO AYE
 J. DAVIS AYE
 C. THOMAS AYE
 S. LOWE ABSENT

DATE APPROVED: _____ JANUARY 16, 2013