

**CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT BOARD MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
WEDNESDAY, AUGUST 18, 2010, AT 5:00 P.M.**

ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NONCONSENT ITEMS ONLY), PLEASE FILL OUT A SALMON PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE INTERIM UTILITY DISTRICT DIRECTOR PRIOR TO THE BEGINNING OF THE MEETING. IN NO EVENT WILL ANYONE BE ALLOWED TO SPEAK ON AN AGENDA ITEM AFTER THE RESOLUTION IS READ OR ITEM CONSIDERED.

ROLL CALL

Chairperson Pardo was present and presided. Upon a roll call by District Clerk Ward, the following were present: Board Chairperson Dawn S. Pardo; Vice Chairperson Davis; Board member Cedrick A. Thomas; and Board member Shelby L. Lowe. Also present were City Manager Ruth Jones; Interim District Director Gloria Shuttlesworth; District Clerk Carrie E. Ward; and Assistant District Attorney Rachael Johnson.

Board member Brooks was absent.

Invocation/Pledge of Allegiance

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Chairperson Pardo.

AGENDA Approval:

Additions, Deletions, Substitutions

NONE

Adoption of Agenda

A motion was made by **Vice Chairperson Davis** and seconded by **Board member Lowe** to approve the agenda.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

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.

MINUTES:

- 1. MINUTES OF THE REGULAR UTILITY SPECIAL DISTRICT BOARD MEETING HELD ON JUNE 16, 2010.**

RESOLUTIONS:

- 2. RESOLUTION NO. 17-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE PURCHASE AND DELIVERY OF AN OPERATIONAL SOFTWARE PROGRAM FOR THE VALVE EXERCISING/SOFT DIG MACHINE FROM INFRAMAP TECHNOLOGY, IN THE AMOUNT OF \$16,998.00; PIGGYBACKING UNDER THE CITY OF SARASOTA, FLORIDA PD-811554; AUTHORIZING THE DISTRICT BOARD CHAIRPERSON TO EXECUTE THE PURCHASE AGREEMENT; AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO MAKE THE APPROPRIATE TRANSFER AND PAY THIS AMOUNT FROM ACCOUNT NO. 413-1430-533-0-6405; AND PROVIDING AN EFFECTIVE DATE.**

11:00 AM

- 3. RESOLUTION NO. 18-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING WORK AUTHORIZATION #4 FROM CHEN AND ASSOCIATES, INC., IN THE AMOUNT OF \$56,350.00 TO PERFORM PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE DESIGN AND PERMITTING FOR UTILITY ADJUSTMENTS AT INTERSECTION OF HAVERHILL BOULEVARD AND DYER ROAD; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.**

END OF CONSENT AGENDA

The District Board of Directors unanimously approved the Consent Agenda.

COMMENTS FROM THE PUBLIC – 5:15 PM*¹ – Non Agenda or Consent Item Speakers
(Three Minute Limitation) Please be reminded that the Utility District Board has adopted a set of “Rules of Decorum Governing Public Conduct During Official Meetings”, which has been posted at the entrance of the Council Chambers. In an effort to preserve order, if any of the rules are not adhered to, the District Board Chairperson may have any disruptive speaker removed from the podium from the meeting and/or the building, if necessary. Please govern yourselves accordingly.

NONE

AWARDS AND PRESENTATIONS:

PRESENTATION - SFWMD CUP PERMIT RENEWAL AND DCA UPDATES JOHN FUMERO, P.A., LAW FIRM OF ROSE, SUNDBLUM & BENTLEY, LLC. & BARNES, FERLAND & ASSOCIATES, INC. (BFA), CONSULTING ENGINEERS

A presentation on the SFWMD Consumptive Use Permit renewal and an update on communication with the Department of Community Affairs were provided by representatives from John Fumero, P.A., Law firm of Rose, Sundstrom, & Bentley, LLC, and Barnes, Ferland, & Associates Inc. Consulting Engineers.

REGULAR:

4. RESOLUTION NO. 19-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING WORK AUTHORIZATION #2 FROM BARNES, FERLAND, & ASSOCIATES, INC. (BFA), IN THE AMOUNT OF \$7,024.99, TO PERFORM PROFESSIONAL ENGINEERING DESIGN AND PERMITTING SERVICES FOR THE CONSTRUCTION OF A FIRE HYDRANT ON MLK BOULEVARD NEAR THE SOUTH ENTRANCE OF THE PALM LAKE CO-OP; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Vice Chairperson Davis** and seconded by **Board member Lowe** to approve Resolution No. 19-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

5. RESOLUTION NO. 20-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING WORK AUTHORIZATION #6

FROM CHEN AND ASSOCIATES, INC., IN THE AMOUNT OF \$218,354.00 TO PERFORM PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE DESIGN AND PERMITTING FOR UTILITY ADJUSTMENTS ON US 1 FROM SILVERBEACH ROAD TO W. 10TH STREET; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 413-1437-536-0-6558; AND PROVIDING AN EFFECTIVE DATE.

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by Vice Chairperson Davis and seconded by Board member Lowe to approve Resolution No. 20-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

6. RESOLUTION NO. 21-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE PROPOSAL FROM CHEN AND ASSOCIATES, INC., IN THE AMOUNT OF \$13,760.00 TO PERFORM PROFESSIONAL ENGINEERING EVALUATION SERVICES FOR STUDY OF SECONDARY DISINFECTION SYSTEMS FOR ALL THREE (3) REPUMP STATIONS (WORK AUTHORIZATION #7); AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1437-536-0-3103; AND PROVIDING AN EFFECTIVE DATE.

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by Vice Chairperson Davis and seconded by Board member Lowe to approve Resolution No. 21-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

7. RESOLUTION NO. 22-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AWARDED THE CONTRACT OF BID NO. 262-10 TO INSITUFORM TECHNOLOGIES, INC., IN THE AMOUNT OF \$519,857.00, PLUS A 10% CONTINGENCY, TOTALING \$571,842.70 TO CONSTRUCT THE SEWER IMPROVEMENTS FOR A1A, PARK AVENUE AND SURF ROAD; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO TRANSFER FUNDS, IN THE AMOUNT OF \$571,842.70, FROM THE UTILITY DISTRICT'S CONTINGENCY ACCOUNT NO. 412-1417-536-0-5999 TO CAP: SEWAGE COLLECTION ACCOUNT NO. 412-1438-535-0-4606 AND TO PAY SAME; AND PROVIDING AN EFFECTIVE DATE.

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Board member Lowe** and seconded by **Vice Chairperson Davis** to approve Resolution No. 22-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

8. **RESOLUTION NO. 23-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING WORK AUTHORIZATION #3 FROM BARNES, FERLAND & ASSOCIATES, INC. (BFA), IN THE AMOUNT OF \$8,183.64 TO PERFORM PROFESSIONAL ENGINEERING DESIGN AND SERVICES FOR GROUND WATER RULE FOUR-LOG VIRUS TREATMENT DEMONSTRATION AND CALCULATIONS (WORK AUTHORIZATION #3); AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.**

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Vice Chairperson Davis** and seconded by **Board member Lowe** to approve Resolution No. 23-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

9. **RESOLUTION NO. 24-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE WORK AUTHORIZATION #4 FROM BARNES, FERLAND & ASSOCIATES, INC. (BFA), IN THE AMOUNT OF \$45,201.88 TO PERFORM PROFESSIONAL ENGINEERING DESIGN AND PERMITTING SERVICES FOR THE CONSTRUCTION AERIAL CROSSING REHABILITATION; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.**

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by **Vice Chairperson Davis** and seconded by **Board member Thomas** to approve Resolution No. 24-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

10. RESOLUTION NO. 25-10UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING WORK AUTHORIZATION #5 FROM BARNES, FERLAND & ASSOCIATES, INC. (BFA), IN THE AMOUNT OF \$163,632.10 TO PERFORM PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE ISSUANCE OF THE CONSUMPTIVE USE PERMIT FROM THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.

District Clerk Ward read the aforementioned resolution into the record.

A motion was made by Board member Lowe and seconded by Vice Chairperson Davis to approve Resolution No. 25-10UD.

MOTION

Upon a roll call vote by District Clerk Ward, the vote was unanimous.

MOTION APPROVED

PETITIONS AND COMMUNICATIONS FOR FILING:

NONE

PUBLIC HEARINGS:

ORDINANCES ON SECOND READING:

NONE

ORDINANCES ON FIRST READING:

NONE

BOARD APPOINTMENT(S):

NONE

DISCUSSION BY THE INTERIM DIRECTOR OF UTILITIES:

Interim Director Shuttlesworth stated that a memo was distributed to the board members regarding an item that would be placed on the agenda for the next meeting for Chen and Associates. She stated that an update would be provided on the current capital projects and that the triennial report was past due that was required for the bond

covenants. She stated that an audit of the water meters was currently being organized in an effort to report to the board the number of installed meters.

LEGAL DISCUSSION/REQUEST:

NONE

DISCUSSION AND RECOMMENDATIONS BY DISTRICT BOARD:

Board member Lowe requested an update on the Honeywell issue.

Interim Director Shuttlesworth provided an update on the legal issue with Honeywell and stated that a more in depth review would have to be provided by the attorney who was currently working with Mr. Fumero on the issue.

Board member Thomas inquired about the utilization of the fire hydrant near the new school.

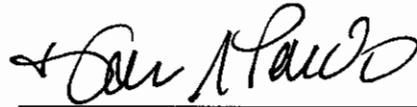
Mario Loaiza, Utility District Engineer, stated that the delay of the project was with the school board not the district.

ADJOURNMENT

There being no further business, the meeting was duly adjourned at 6:45 p.m.

PLEASE NOTE: A COMPLETE AGENDA PACKAGE AND RECORDING IS ON FILE IN THE OFFICE OF THE CITY CLERK.

APPROVED:



DAWN S. PARDO
CHAIRPERSON

ATTEST:



CARRIE E. WARD
MASTER MUNICIPAL CLERK
UTILITY SPECIAL DISTRICT CLERK



JUDY L. DAVIS
VICE CHAIRPERSON



BILLIE E. BROOKS
BOARD MEMBER


CEDRICK A. THOMAS
BOARD MEMBER

SHELBY L. LOWE
BOARD MEMBER

MOTIONED BY: J. DAVIS
SECONDED BY: B. BROOKS

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

DATE APPROVED: 09/15/2010