

**CITY OF RIVIERA BEACH  
PALM BEACH COUNTY, FLORIDA  
UTILITY SPECIAL DISTRICT BOARD  
MEETING MINUTES  
MUNICIPAL COMPLEX COUNCIL CHAMBERS  
WEDNESDAY, AUGUST 19, 2009, AT 6:00 P.M.**

**ANY PERSON WHO WOULD LIKE TO SPEAK ON AN AGENDA ITEM (NONCONSENT ITEMS ONLY), PLEASE FILL OUT A GOLD PUBLIC COMMENT CARD LOCATED IN THE BACK OF THE COUNCIL CHAMBERS AND GIVE IT TO THE 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.**

**I. 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 Board Chairperson Judy L. Davis; Board member Billie E. Brooks; and Board member Shelby L. Lowe. Also present were City Manager Ruth C. Jones; District Clerk Carrie E. Ward, MMC; and District Attorney Pamala H. Ryan.

Board member Thomas was absent.

**Invocation/Pledge of Allegiance**

Everyone stood for a Moment of Silence and the Pledge of Allegiance led by Board Attorney Ryan.

**II. AGENDA APPROVAL**

**1) Additions, Deletions, Substitutions**

**NONE**

Chairperson Pardo stated that there was not a place on the agenda for public comments which will be added to the end of the agenda. She also requested that Board member Brooks' title be added to the front of the agenda.

**2) Adoption of Agenda**

A motion was made by **Board member Brooks** and seconded by **Vice Board Chair Davis** to approve the agenda as amended.

**MOTION**

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

**MOTION APPROVED**

***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.***

**CONSENT AGENDA:**

**RESOLUTIONS:**

1. RESOLUTION NO. 05-09UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE INTERLOCAL UTILITY AGREEMENT BETWEEN PALM BEACH COUNTY, FLORIDA (COUNTY) AND THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (DISTRICT), AN INDEPENDENT SPECIAL DISTRICT, FOR JOINT PARTICIPATION AND PROJECT FUNDING IN CONSTRUCTION OF BLUE HERON BOULEVARD AND CONGRESS AVENUE TO RELOCATE UTILITY INFRASTRUCTURE WITHIN THE UTILITY SPECIAL DISTRICT'S JURISDICTION; IN THE AMOUNT OF \$1,077.32; AND AUTHORIZING THE DISTRICT CHAIRPERSON AND DISTRICT CLERK TO EXECUTE SAID AGREEMENT; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 412-1430-533-0-6558; AND PROVIDING AN EFFECTIVE DATE.
  
2. RESOLUTION NO. 06-09UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT AND THE CITY OF RIVIERA BEACH FOR A PORTION OF CERTAIN LAND SITUATED IN THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA WHICH HAS A STREET ADDRESS OF 600 WEST BLUE HERON BLVD., RIVIERA BEACH, FLORIDA 33404; AND PROVIDING FOR AN EFFECTIVE DATE.

**END OF CONSENT AGENDA**

**PETITIONS AND COMMUNICATIONS FOR FILING:**

**NONE**

A motion was made by **Vice Chairperson Davis** and seconded by **Board member Brooks** to approve the Consent Agenda.

**MOTION**

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

**MOTION APPROVED**

**PUBLIC HEARINGS:**

**ORDINANCES ON SECOND READING:**

NONE

**ORDINANCES ON FIRST READING:**

NONE

**AWARDS AND PRESENTATIONS:**

NONE

**REGULAR:**

3. RESOLUTION NO. 07-09UD A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AWARDED THE BID TO CLOSE CONSTRUCTION, INC. OF WELLINGTON, FLORIDA AND AUTHORIZING THE DISTRICT BOARD CHAIRPERSON AND DISTRICT CLERK TO EXECUTE THE PROPOSED BID AWARD WITH CLOSE CONSTRUCTION, INC., OF WELLINGTON, FLORIDA; FOR THE WATER TREATMENT PLANT IMPROVEMENT PROJECT; IN THE AMOUNT OF \$1,366,642.48 PLUS A 10% CONTINGENCY FOR A TOTAL AMOUNT OF \$1,503,306.73; APPROVING AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO TRANSFER FUNDS IN THE AMOUNT OF \$1,503,306.73 FROM THE UTILITY DISTRICT CONTINGENCY ACCOUNT NO. 412-1417-536-0-5999 INTO THE UTILITY DISTRICT CAP. - PLANT (WATER) ACCOUNT NO. 412-1437-533-0-6559; AND AUTHORIZING THE FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 412-1437-533-0-6559; AND PROVIDING FOR 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 Brooks** to approve Resolution No. 07-09UD.

**MOTION**

**Mario Loaiza, Utility Engineer**, provided an overview of the improvement project mentioned in the aforementioned resolution.

**Board member Lowe** inquired about the status of requiring minority participation for the project being discussed.

**Mario Loaiza** stated that Close Construction provided a MBE certified sub-contractor that they would be utilizing for the project.

**Board Attorney Ryan** stated that she and Ben Guy, Purchasing Director was currently working on changing the procurement code to ensure that a local preference section was included in construction projects.

**Lynne Hubbard, 1405 W 23<sup>rd</sup> Street**, made comments reference requiring local participation and she encouraged the board to demand local participation for all projects.

The agent for Close Construction made comments on behalf of his client in support of the proposed resolution.

**Board Attorney Ryan** requested that the motion be amended to withdraw approval of Interstate Engineering Corporation that was unanimously approved at the April 15, 2009 Regular Utility Special District Board Meeting and approve the resolution as presented on the agenda.

An amended motion was made by **Vice Chairperson Davis** and seconded by **Board member Brooks** to withdraw approval of Interstate Engineering and award the bid to Close Construction as the low bidder.

**AMENDED MOTION**

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

**MOTION APPROVED**

**BOARD APPOINTMENT(S):**

NONE

**DISCUSSION BY THE EXECUTIVE DIRECTOR:**

NONE

**PUBLIC COMMENTS:**

**Gerald Ward, 31. W 20<sup>th</sup> Street**, made comments reference the absence of approval of minutes on the agenda for the July 15<sup>th</sup> meeting.

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Public Comments will begin at 6:00 PM or if an item is already in progress at 6:00 PM, Public Comments will begin immediately after the item has concluded.

**LEGAL DISCUSSION/REQUEST:**

**NONE**

**DISCUSSION AND RECOMMENDATIONS:**

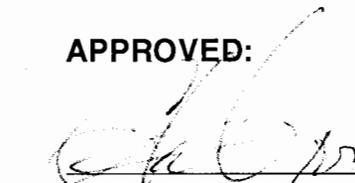
**NONE**

**ADJOURNMENT**

**There being no further business, the meeting was duly adjourned at 6:25 p.m.**

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

APPROVED:

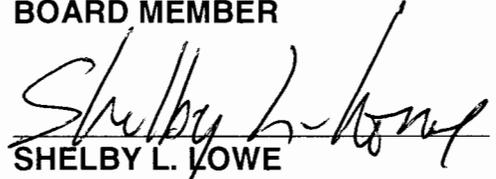
  
CARRIE E. WARD  
MASTER MUNICIPAL CLERK  
DISTRICT BOARD CLERK

  
DAWN S. PARDO  
CHAIRPERSON

  
JUDY L. DAVIS  
VICE CHAIRPERSON

  
BILLIE E. BROOKS  
BOARD MEMBER

ABSENT  
CEDRICK A. THOMAS  
BOARD MEMBER

  
SHELBY L. LOWE  
BOARD MEMBER

MOTIONED BY: S. LOWE

SECONDED BY: B. BROOKS

C. THOMAS ABSENT

D. PARDO AYE

B. BROOKS AYE

J. DAVIS AYE

S. LOWE AYE

APPROVED: SEPTEMBER 16, 2009