CITY OF RIVIERA BEACH
PALM BEACH COUNTY, FLORIDA
UTILITY SPECIAL DISTRICT MEETING MINUTES
MUNICIPAL COMPLEX COUNCIL CHAMBERS
MONDAY, JULY 11, 2016 AT 5:30 P.M.

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

[Gavel]

CALL TO ORDER

CHAIR DAVIS: At this time, we're gonna call this Utility District Meeting to order.

ROLL CALL

CHAIR DAVIS: Madam Clerk, roll call, please.

DISTRICT CLERK ANTHONY: Chairperson Terence Davis?

CHAIR DAVIS: Here.

DISTRICT CLERK ANTHONY: Chair Pro Tem KaShamba Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Present.

DISTRICT CLERK ANTHONY: Board Member Lynne Hubbard?

BOARD MEMBER HUBBARD: Present.

DISTRICT CLERK ANTHONY: Board Member Tonya Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Here.

DISTRICT CLERK ANTHONY: Board Member Dawn Pardo?

BOARD MEMBER PARDO: Present.

DISTRICT CLERK ANTHONY: Mayor Thomas A. Masters?

MAYOR MASTERS: Finally, present.

DISTRICT CLERK ANTHONY: City Manager Ruth Jones?

CITY MANAGER JONES: Present.

DISTRICT CLERK ANTHONY: Assistant Executive Director Giles Rhoads?

ASST. EXECUTIVE DIRECTOR RHOADS: Here.

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

DISTRICT ATTORNEY RYAN: Here.

DISTRICT CLERK ANTHONY: District Finance Direct Randy Sherman?

FINANCE DIRECTOR SHERMAN: Here.

CHAIR DAVIS: Thank you.

INVOCATION

PLEDGE OF ALLEGIANCE

CHAIR DAVIS: We're gonna stand for the moment of silence and then the Pledge will be led by Councilperson Johnson. Please face the north.

[Moment of silence]

BOARD MEMBER DAVIS JOHNSON: 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.

AGENDA Approval: Additions, Deletions, Substitutions

CHAIR DAVIS: Madam City Manager, do we have any additions, deletions or substitutions?

ASST. EXECUTIVE DIRECTOR RHOADS: No additions to the Agenda but you did receive two Items outside of your packet. One is a Purchasing Letter recommendation for Item No. 3, to the Hinterland Group.

CHAIR DAVIS: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: And, another purchasing recommendation letter for Item No. 4 with D.S. Eakins. And then, additional to the Item No. 4, that you did not receive your packet, there is backup information of minor changes made to the contract, Item No. 1, which just specifies the end of the expiration of the contract and Item No. 2 as it pertains to the contract. They're under separate cover.

CHAIR DAVIS: Okay. Thank you.

DISCLOSURES BY BOARD OF DIRECTORS

ADOPTION OF AGENDA

CHAIR DAVIS: Do we have any, any disclosures by the Board? [Pause]. Hear none. Do we have a motion to adopt the Agenda?

BOARD MEMBER DAVIS JOHNSON: So moved.

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Motioned and second. Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Chair Davis?

CHAIR DAVIS: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIR DAVIS: Thank you. All matters listed under the, under the... I'm going to Consent Agenda, I apologize.

CONSENT AGENDA

CHAIR DAVIS: 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.

CHAIR DAVIS: Do we have mo'.., Items that need to be pulled before approving the Consent Agenda?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIR DAVIS: Vice Chair?

CHAIR PRO TEM MILLER-ANDERSON: 3, 4, 6 and 10.

[Pause]

UNK: Huh?

CHAIR PRO TEM MILLER-ANDERSON: 3, 4, 6 and 10.

CHAIR DAVIS: 3...

DISTRICT ATTORNEY RYAN: 10 is not...

CITY MANAGER JONES: 10 is already on...

CHAIR PRO TEM MILLER-ANDERSON: Huh?

CITY MANAGER JONES: ...Regular.

CHAIR DAVIS: 10 is...

CHAIR PRO TEM MILLER-ANDERSON: Oh. I'm sorry. I was on a roll. You know me, right?

[Laughter]

CHAIR PRO TEM MILLER-ANDERSON: 3, 4 and 6. I'm sorry.

CHAIR DAVIS: 3, 4 and 6. [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

CHAIR DAVIS: Anybody else have any other Items that need to be removed?

DISTRICT CLERK ANTHONY: The.., hold on one second [inaudible].

CHAIR DAVIS: If you not sure, we can pull it and we can go from there.

UNK: [Inaudible].

CHAIR DAVIS: Okay. Do we have a motion to... Hold on. Councilperson Hubbard? So right now, 3, 4, 5 and 6?

DISTRICT CLERK ANTHONY: Can you speak into the microphone, please?

CHAIR DAVIS: Yeah. She doesn't... Mayor, can you pass that microphone?

BOARD MEMBER HUBBARD: It's okay. We're sharing. Okay. [Pause]. The, um, 1. 1 also, sir.

CHAIR DAVIS: So, 1, 3, 5 and s'... 1, 3, 4, 5 and 6? She wants 5, correct?

BOARD MEMBER HUBBARD: [Inaudible].

CHAIR DAVIS: Okay. Do we have a motion to approve the Consent Agenda excluding 1, 3, 4, 5 and 6?

BOARD MEMBER HUBBARD: [Inaudible]?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

CHAIR DAVIS: Do we have a second?

BOARD MEMBER HUBBARD: Second.

CHAIR DAVIS: Madam Clerk?

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Chair Davis?

CHAIR DAVIS: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIR DAVIS: So, now we're gonna start off with Item No. 3.

BOARD MEMBER DAVIS JOHNSON: No. 1.

UNK: No. 1.

CHAIR DAVIS: No. 1. I'm sorry. Item No. 1.

DISTRICT CLERK ANTHONY: 1. RESOLUTION NO. _____A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA APPROVING THE CONTRACT WITH AQUIFER MAINTENANCE & PERFORMANCE SYSTEMS, INC. OF WEST PALM BEACH, FLORIDA; ALLOWING FOR PAYMENT OF INVOICES FOR WORK PREVIOUSLY COMPLETED BY AQUIFER MAINTENANCE & PERFORMANCE SYSTEMS, INC; AUTHORIZING THE CHAIRPERSON AND DISTRICT CLERK TO EXECUTE SAIDCONTRACT; AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY AN AMOUNT NOT TO EXCEED $150,000.00 FROM ACCOUNT NO. 412-1437-533-0-6405; AND PROVIDING A REVISED EFFECTIVE DATE OF DECEMBER 15, 2015.

BOARD MEMBER DAVIS JOHNSON: So moved.

CHAIR DAVIS: Second?

CHAIR PRO TEM MILLER-ANDERSON: Second.

CHAIR DAVIS: Properly moved and second. Councilperson Hubbard, you'd like a presentation on this?

BOARD MEMBER HUBBARD: Yes. I'd like to find out about the work that was previously approved prior to coming on this Con'.., on, on this Agenda.

ASST. EXECUTIVE DIRECTOR RHOADS: Alright. We previously brought this to a, a Resolution to the Board on June 20th and approved the contract with AMPS to an Effective Date of April 15, 2016 and it was requested by the Board to ensure that everything was, was, uh, up to the.., work was not.., no work preceded before April 15th of 2016. Staff went back through the records and there was a contact made with AMPS and there was an outs'.., two o'.., three outstanding invoices that were for work prior to that Effective Date of April 15. Uh, the invoice totals for those invoices are for $20,452.00, um, prior to the previously approved Effective Date at the June 20th meeting.

BOARD MEMBER HUBBARD: So, the…

UNK: [Inaudible].

BOARD MEMBER HUBBARD: …those three invoices, will they be covered under this, um, $150,000 are tho'.., are those included?

ASST. EXECUTIVE DIRECTOR RHOADS: Yes, they will.

BOARD MEMBER HUBBARD: Okay. [Pause]. Okay. Thank you.

CHAIR DAVIS: Any other questions, concerns about Item No. 1? [Pause]. Madam Clerk.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Chair Davis?

CHAIR DAVIS: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIR DAVIS: Thank you so much. Item No. 3.

DISTRICT CLERK ANTHONY: 3. RESOLUTION NO. _____A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, FLORIDA, AUTHORIZING THE UTILITY DISTRICT BOARD TO APPROVE THE CONTRACT WITH THE HINTERLAND GROUP, INC. OF RIVIERA BEACH, FLORIDA FOR SEWER RELINING AND INSPECTION SERVICES TO BE PERFORMED AS AN IN- KIND PROJECT TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER CONSENT ORDER OGC FILE NO. 15-0459; AUTHORIZING THE UTILITY DISTRICT BOARD CHAIRPERSON AND

DISTRICT CLERK TO EXECUTE THIS CONTRACT; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO MAKE PAYMENT IN AN AMOUNT NOT TO EXCEED $64,850; FROM LINE ITEM 411-1417-536-0-3106 AND PROVIDING AN EFFECTIVE DATE.

CHAIR DAVIS: Do we have a motion?

CHAIR PRO TEM MILLER-ANDERSON: So moved.

BOARD MEMBER DAVIS JOHNSON: Second.

CHAIR DAVIS: Properly moved and second. Vice Chair, um...

CHAIR PRO TEM MILLER-ANDERSON: Yes.

CHAIR DAVIS: Miller-Anderson.

CHAIR PRO TEM MILLER-ANDERSON: I'll take a presentation but I did have... I'm sorry. You're, you're gonna do it? Well, let me ask a question first. I see Mr. Giles is here and I.., and this is along the lines of I'm still within the question about this Item but I know, Ms. Jones, you said at our retreat date that Mr. Giles had put in his resignation. When is his date up?

CITY MANAGER JONES: I asked him if he would stay 'til the end of July.

CHAIR PRO TEM MILLER-ANDERSON: 'Til the end of July? Okay. Okay. Go ahead and do that and I'll come back to this.

PURCHASING DIRECTOR MEALY: Good evening.

CHAIR DAVIS: Good evening.

PURCHASING DIRECTOR MEALY: Good evening. Dean Mealy, Purchasing. The Item bid 77-16 was sent out for issuance on the 26th of May and it closed on June 21st. The three bids were received by the City. Hinterland Group, Alonso and VacVision all bid. The bid package is inside your package. Hinterland was low resp'.., responsible bidder and they bid $64,850 towards.., for the project that was outlined to be done.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, I was suggesting...

ASST. EXECUTIVE DIRECTOR RHOADS: May I add a little bit more information to that? This Resolution is brought to you based on the Consent Order with the FDEP. It's gonna be utilized for the in-kind penalty project that we vied for, uh, in lieu of the civil penalties. Hinterland Group is a, a firm that does Cure in Place lining into sewer mains and, essentially, we selected a location that's a deep sewer main going to a lift station that is at or below groundwater table and once the work is completed in there, the, the,

uh, the sewer mains will be at new condition again. And there will be rehabilitating manholes, removing any corro'.., corrosive nature that they see, the scaling of the concrete and cracks and bring them back to at new condition.

CHAIR PRO TEM MILLER-ANDERSON: Okay. With the con'.., in the contract for them, on No. 11, it noted that all notices required in this contract shall be sent to your attention. Does that cure the... I know we were talking before where the executive director received a lot of information, have we fixed that where someone else is brought into the loop as well? In terms of receiving any notifications or any type of document so that we don't have the same problem we had when the other person was in, in your place?

ASST. EXECXUTIVE DIRECTOR RHOADS: Sure. Notifications for this situation will be for questions from the contractor...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: ...uh, maybe RFI's to the work and, um, deliverable of pay applications.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So that's what they're referring to with the notices?

ASST. EXECUTIVE DIRECTOR RHOADS: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

PURCHASING DIRECTOR MEALY: Ms. Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

PURCHASING DIRECTOR MEALY: Just to clarify No. 11.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

PURCHASING DIRECTOR MEALY: When Mr. Rhoads does depart the City, addendum...

CHAIR PRO TEM MILLER-ANDERSON: I can't really hear you.

PURCHASING DIRECTOR MEALY: When Mr. Rhoads leaves the City, I will, for Item No. 11, I will send out notices to state...

CHAIR PRO TEM MILLER-ANDERSON: Revise the name?

PURCHASING DIRECTOR MEALY: ...where, where documents are to be sent.

CHAIR PRO TEM MILLER-ANDERSON: Okay. As well as No. 33.., well, it's right before No. 34 on Page 7.

PURCHASING DIRECTOR MEALY: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: Um...

PURCHASING DIRECTOR MEALY: But I will adjust those Items.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

PURCHASING DIRECTOR MEALY: His last day.

CHAIR PRO TEM MILLER-ANDERSON: Okay. And then, in regards to the Consent Order, I know this is an older one but who else received a copy of this Consent Order? Ms. Jones, was it you?

CITY MANAGER JONES: This one was one that you all had received a copy of.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So.., but, what I'm saying is, from the City, you weren't copied on this.., this is one of the ones that only Mr. Aurigemma had?

CITY MANAGER JONES: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CITY MANAGER JONES: So that was the previous process...

CHAIR PRO TEM MILLER-ANDERSON: Right.

DISTRICT ATTORNEY RYAN: ...prior to the change.

CHAIR PRO TEM MILLER-ANDERSON: Right. And, um, [pause], let me see, looking at Page 3 of the Consent Order, some of the issues that are in there, were they addressed? Have we corrected that? I don't know if this is for Mr. Beaudet, Mr. Perry, Mr. Giles. Like [stammer], No. 3B, on Page 3 about...

ASST. EXECUTIVE DIRECTOR RHOADS: Um...

CHAIR PRO TEM MILLER-ANDERSON: ...the water quality samples collected on the nine days...

UNK: 4B. 4B.

UNK: 4B?

CHAIR PRO TEM MILLER-ANDERSON: Huh? 4B. 4B on Page 3.

ASST. EXECTUIVE DIRECTOR RHOADS: If I may?

CHAIR PRO TEM MILLER-ANDERSON: Okay. Yes.

CHAIR DAVIS: Page 3 of the contract of the Consent Order.

ASST. EXECUTIVE DIRECTOR RHOADS: These water quality samples were taken after a overflow of sanitary sewage and they were collected at the point of discharge and into the location of the surface water that they entered into. They were collected, taken and resampled until the samples came back in compliance with the standards for surface water for total call of forms for intercockle.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So what that violation that is stated there, Rule 62-600.7402A, that has been corrected? So we will not see any issues of that nature in the future?

ASST. EXECUTIVE DIRECTOR RHOADS: Right. The sample.., the surface water has been returned back to normal.

CHAIR PRO TEM MILLER-ANDERSON: Okay. And then for C, um, the Utility sole method of the cleanup, for May 19th, and it says the spill was to wash the wastewater into the nearby storm drains. That particular violation that's there, 62-604.130, has that part been corrected? So we won't have any of those violations again coming up?

MR. B. BEAUDET: Yes, ma'am. This is Bevin Beaudet.

CHAIR PRO TEM MILLER-ANDERSON: Yes.

MR. B. BEAUDET: And, uh, we have.., as part of the Consent Order, we have prepared a Sanitary Sewer Overflow Response Plan.

CHAIR PRO TEM MILLER-ANDERSON: I, I have questions about that too.

MR. B. BEAUDET: Yes.

CHAIR PRO TEM MILLER-ANDERSON: Right.

MR. B. BEAUDET: And that Plan has been submitted to the FDEP.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

MR. B. BEAUDET: And, that includes training for our people, it includes new equipment, it includes the specific procedures on how to handle these types of overflows so that we will not be in violation in the future.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Um, and then, glad that you mentioned that plan cause that's in here as well. [Pause]. Now, when the Plan was submitted, was everything accepted and they don't have any issues with anything that's in there?

[inaudible background comments]

MR. B. BEAUDET: They reviewed it the first time and they gave us comments.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. B. BEAUDET: The one that we submitted to them two weeks ago included their comments.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. B. BEAUDET: However, the woman who, at FDEP, who is to review it, the final report, has been on vacation.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MR. B. BEAUDET: So we haven't heard back from them. However, the initial response that we got from other Staff people, was that they were very pleased with it.

CHAIR PRO TEM MILLER-ANDERSON: Okay. What about No. 2 on Page 27 of the Sanitary Sewer Overflow Response Plan, it says appropriate system personnel would be notified. Who, who would that be?

MR. B. BEAUDET: I'm sorry. I'm lost.

ASST. EXECUTIVE DIRECTOR RHOADS: I'll take a look at that.

[Inaudible comment]

CHAIR PRO TEM MILLER-ANDERSON: Hmm? Okay. You see it? No. 2 on Page 27? Mr. Davis is turning the gavel over to me. He's leaving the dais.

CHAIR DAVIS: I got an emergency I gotta...

CHAIR PRO TEM MILLER-ANDERSON: Okay. Just so they know.

ASST. EXECUTIVE DIRECTOR RHOADS: Appropriate personnel to be notified, I'll cover all of them.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: But the regulator agencies that'll be notified will be the FDEP, which will be our, our person to notify is Denise Watts and they'd also have...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: ...the, uh, SED email that sh'.., we attach with her, uh, depending on the type of overflow...

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

ASST. EXECUTIVE DIRECTOR RHOADS: ...that may exist, you may have to.., based on details of it, submit a incident report to the state watch office and there's triggered requirements with that one.

CHAIR PRO TEM MILLER-ANDERSON: Right.

ASST. EXECUTIVE DIRECTOR RHOADS: If it goes into a surface water report, if it spills over 1,000 gallons, you report.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: As well as, you touch base with two personnel at the Health Department. They are Dale Rosiany [sp] and David Hebert [sp].

CHAIR PRO TEM MILLER-ANDERSON: Okay. And then, on Page 36, is the last thing. On Page 36, the overflow reporting, it says the Utility supervisor will complete the required reports. Who will be that Utility supervisor?

ASST. EXECUTIVE DIRECTOR RHOADS: The, uh, will be Allen Davis, Water & Sewer Superintendent.

CHAIR PRO TEM MILLER-ANDERSON: Okay. That's it for me. Do we have any other questions for that Item?

BOARD MEMBER HUBBARD: I wanted to ask one question, Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

BOARD MEMBER HUBBARD: I wanted to ask about.., when they give us the Consent Orders, being that they are legal documents for our, for us to enter into with

authorization, should.., shouldn't they, shouldn't we try to make sure that they're directed to the Attorney's office because we can't legally enter.., or has that been...

DISTRICT ATTORNEY RYAN: We have reached out to, um, the Special District where all of the notices have to be sent, or where they send notices from and they have advised that there was only one name that they are going to have as the official name.

BOARD MEMBER HUBBARD: And which...

DISTRICT ATTORNEY RYAN: And...

BOARD MEMBER HUBBARD: ...which agency is that? Which one? I know we're dealing with three now, right?

DISTRICT ATTORNEY RYAN: What was the...

BOARD MEMBER HUBBARD: We got DEP...

UNK: [Inaudible].

DISTRICT ATTORNEY RYAN: This was the division that regulates special districts. What they...

BOARD MEMBER HUBBARD: Okay.

DISTRICT ATTORNEY RYAN: ...do is, they don't know any individuals so they go to the website to get the names of the persons to whom to send their notices. And so, that's what all of these entities did. What we have asked the local, um, Health Department to do is to add the legal department to the name because we tried to add it on the website and they will not let us add it on the website. So, all you can do is to ask. I guess we could send a letter directly to DEP and ask them to copy us but that doesn't ensure that they will. But the official address that they're going to send notifications to is the name that's listed on the, on the, um, the, the statewide website.

BOARD MEMBER HUBBARD: Okay. So, but, I guess Staff in our City is real clear that when something comes like that, we need to get it to legal as fast as we can by carrier pigeon or whatever because we cannot, you know... They might not know where to find the right spot but we know where it needs to be before we go.., uh, so.., and, just a little further [pause], they.., for them to, uh, give us these consents, not directed to legal but then to include that they have contact with legal, how are they able to do that?

DISTRICT ATTORNEY RYAN: I don't know what contact you're talking about.

BOARD MEMBER HUBBARD: Okay. Like, one of the, um, one of the, one.., you know, one of the letters, one of the documents had you and Ms. Jones in it and that was, like, 2014 or something, September, 2014. But then...

DISTRICT ATTORNEY RYAN: That's the one...

BOARD MEMBER HUBBARD: ...the aren't sending...

DISTRICT ATTORNEY RYAN: Right.

BOARD MEMBER HUBBARD: ...the stuff to you but they named you.

DISTRICT ATTORNEY RYAN: They did not. They sent a.., it was an anomaly. They have not been able to explain it. They sent it to Judy Davis and it came to my office because they sent it to the Board Chairperson instead of to, um, Lou Auri'.., it wasn't Lou at the.., was it Lou at the time? Whoever it was.

BOARD MEMBER HUBBARD: Mhmm.

DISTRICT ATTORNEY RYAN: That was the only time that they sent something directly to my office.

BOARD MEMBER HUBBARD: Okay.

DISTRICT ATTORNEY RYAN: And it was in care of, um, it was sent to Judy Davis in care of the City Attorney's office.

BOARD MEMBER HUBBARD: Okay. Okay. Um [pause], and it must be an anomaly because I.., and, and we, and we, and we need, like, the preconference hearing and, and that was noticed. And, and that's a, a legal as'.., you know, something legal that if we get to that point and we're.., and our Attorney is not being contacted... I hope I can find that one, that they, they had put your name and Mrs. Jones' name on it stating that they had contacted, um...

DISTRICT ATTORNEY RYAN: That, that may have been the one from September 2014 that I referred to...

BOARD MEMBER HUBBARD: Yes.

DISTRICT ATTORNEY RYAN: ...on several occasions.

BOARD MEMBER HUBBARD: September of 2014. I believe it was.

DISTRICT ATTORNEY RYAN: And we were involved in the process, at that time.

BOARD MEMBER HUBBARD: In 2'.., in September...

DISTRICT ATTORNEY RYAN: Yes.

BOARD MEMBER HUBBARD: Mhmm. Okay. Okay. It's okay.

CHAIR PRO TEM MILLER-ANDERSON: That's it?

BOARD MEMBER HUBBARD: Yes. That's it.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Any other questions? Okay.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Pro Tem Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: That motion is approved with Chair Davis out.

CHAIR PRO TEM MILLER-ANDERSON: Okay. We're moving to Item No. 4.

DISTRICT CLERK ANTHONY: 4. RESOLUTION NO. _____ A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING THE CONTRACT WITH D.S. EAKINS CONSTRUCTION CORP. OF LAKE PARK, FL; PIGGY-BACKING CONTRACT NO. 11073C WITH PALM BEACH COUNTY FOR CREWS WITH EQUIPMENT AND RENTAL OF EQUIPMENT TO PROVIDE UNDERGROUND/ON- CALL SERVICES; AUTHORIZING THE UTILITY DISTRICT CHAIRPERSON AND DISTRICT CLERK TO EXECUTE THIS CONTRACT; AUTHORIZING THE FINANCE DIRECTOR TO MAKE PAYMENT FROM THE CONTRACT SERVICES-SEWER ACCOUNT LINE ITEM 411-1438-535-0-3405 AT A COST NOT TO EXCEED $100,000 ANNUALLY; AND PROVIDING AN EFFECTIVE DATE OF DECEMBER 15, 2015.

BOARD MEMBER PARDO: So moved.

CHAIR PRO TEM MILLER-ANDERSON: Do we have a...

BOARD MEMBER HUBBARD: Second.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

BOARD MEMBER HUBBARD: For discus'...

CHAIR PRO TEM MILLER-ANDERSON: Do we have a discussion and a... Well, I wanted a presentation.

BOARD MEMBER HUBBARD: Second. Yeah.

CHAIR PRO TEM MILLER-ANDERSON: I think I pulled it...

BOARD MEMBER HUBBARD: Second for discussion.

CHAIR PRO TEM MILLER-ANDERSON: Well, he's gonna do the presentation because that was the one that I pulled so that...

BOARD MEMBER HUBBARD: Yes.

CHAIR PRO TEM MILLER-ANDERSON: ...he could do the presentation for us.

BOARD MEMBER HUBBARD: Okay.

PURCHASING DIRECTOR MEALY: Good evening, Council. Dean Mealy, Purchasing. The emergency contract was a contract that had been requested prior to Mr. Aurigemma leaving and never got pushed forward. Can you hear...

CHAIR PRO TEM MILLER-ANDERSON: I can't really.

PURCHASING DIRECTOR MEALY: You cannot hear?

CHAIR PRO TEM MILLER-ANDERSON: I don't think...

CITY MANAGER JONES: It's better now.

CHAIR PRO TEM MILLER-ANDERSON: ...they can [inaudible].

PURCHASING DIRECTOR MEALY: Can you hear me better now?

CHAIR PRO TEM MILLER-ANDERSON: Yeah.

PURCHASING DIRECTOR MEALY: Okay. The Item had been tabled for a short time pending Mr. Aurigemma pushing it forward to, to my office.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

PURCHASING DIRECTOR MEALY: And, it's finally making the Council meeting. The goal here was to do a piggyback against Palm Beach County in the short-term.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

PURCHASING DIRECTOR MEALY: But to actually go out and do our own solicitation within the next four'.., I.., in, in the letter I gave you right before the meeting this evening…

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

PURCHASING DIRECTOR MEALY: …within the next 45 days. Actually, I wanna move that timeframe up since Mr. Rhoads is leaving at the end of July, is to work with him between now and the end of July to actually put a scope of services together and I can put it on the street by August 1st. So, we'd actually get our own contract put together, the bids come back in by the third week, fourth week of August, do an evaluation and actually bring it back to Council, uh, first meeting in September.

CHAIR PRO TEM MILLER-ANDERSON: So what is the, the [inaudible]…

PURCHSING DIRECTOR MEALY: Pardon?

CHAIR PRO TEM MILLER-ANDERSON: The amendment that was made to the.., the attachment that we were given a…

PURCHASING DIRECTOR MEALY: The attachment…

CHAIR PRO TEM MILLER-ANDERSON: …few minutes ago?

PURCHASING DIRECTOR MEALY: [Inaudible] give you a letter of recommendation to move forward, that the, the contract.., there is an existing contract.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

PURCHASING DIRECTOR MEALY: Eakins is willing to provide the exact same pricing that Palm Beach County is currently getting. So, that is.., from the Purchasing standpoint, they met the threshold for, for actually doing the piggyback. But I also wanted to add into there that we will.., we want to go out and do our own solicitation for this.

CHAIR PRO TEM MILLER-ANDERSON: Right. Okay.

PURCHASING DIRECTOR MEALY: Which will be in the best interest of the City.

CHAIR PRO TEM MILLER-ANDERSON: But the part that's in the box for No. 1 that says which will expire on.., you're basically saying it's gonna expire…

PURCHASING DIRECTOR MEALY: The, the…

CHAIR PRO TEM MILLER-ANDERSON: …the end of August cause you wanna have this in place, do everything you need to do by…

PURCHASING DIRECTOR MEALY: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: …the beginning of September.

PURCHASING DIRECTOR MEALY: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: And that was the only thing…

PURCHASING DIRECTOR MEALY: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: …that was added on the new sheet here?

PURCHASING DIRECTOR MEALY: Yes, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

[Inaudible comment]

CHAIR PRO TEM MILLER-ANDERSON: Any other questions? Huh? And then No. 33, as it pertains to the contract. You just added in.., inserted a couple words there? On Page 6, No. 33, the independent contractor shall comply with Florida's public records at Chapter 119, Florida Statutes, as it pertains to this contract. That was just a clerical error or something or what?

UNK: She's on Page 7, which would be Item No…

CHAIR PRO TEM MILLER-ANDERSON: Page 6.

ASST. EXECUTIVE DIRECTOR RHOADS: I have it. It's on the…

[Inaudible comment]

ASST. EXECUTIVE DIRECTOR RHOADS: …Page 6 of the…

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

ASST. EXECUTIVE DIRECTOR RHOADS: …Standard Materials and Services Agreement with…

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle].

ASST. EXECTUIVE DIRECTOR RHOADS: ...Eakin.., D.S. Eakins.

CHAIR PRO TEM MILLER-ANDERSON: I.., okay. So this is yours? I'm sorry. This is you here?

ASST. EXECUTIVE DIRECTOR RHOADS: This...

CHAIR PRO TEM MILLER-ANDERSON: Who am I...

ASST. EXECUTIVE DIRECTOR RHAODS: This is probably dir'.., should be directed to me...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: ...cause it's from me.

CHAIR PRO TEM MILLER-ANDERSON: Whoever can give me an answer, go ahead.

ASST. EXECUTIVE DIRECTOR RHOADS: Yes. Um, sorry for jumping in there. The, uh, contractor asked for additional text to be added to the contract. And what the independent contractor asked for is related to Chapter 119. He just requested that the language be, as it pertains to this contract, because it's for public records request.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Alright. Any other questions...

PURCHASING DIRECTOR MEALY: Also...

CHAIR PRO TEM MILLER-ANDERSON: ...from the Board?

PURCHASING DIRECTOR MEALY: Councilperson Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

PURCHASING DIRECTOR MEALY: On Item No. 33, as it was in the last Item, when you discussed No. 3, uh, subparagraph D, where it references Mr. Rhoads in the Item, I will also make an addendum to.., when, uh, Mr. Rhoad's last day to have the wording changed...

CHAIR PRO TEM MILLER-ANDERSON: The name? Okay.

PURCHSING DIRECTOR MEALY: Okay?

CHAIR PRO TEM MILLER-ANDERSON: Alright. Sounds good. Any other questions from the Board? [Pause]. None?

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Chair Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: That motion is approved with Chair Davis out.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Moving to No.., Item No. 5.

DISTRICT CLERK ANTHONY: 5. RESOLUTION NO. _____A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING WORK AUTHORIZATION NO. 20A FOR C SOLUTIONS INC. IN THE NOT-TO EXCEED AMOUNT OF $38,100 FOR ENGINEERING SERVICES ASSOCIATED WITH THE REHABILITATION/REPLACEMENT OF LIFT STATIONS NO. 10 AND NO. 50; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND PROVIDING AN EFFECTIVE DATE.

BOARD MEMBER DAVIS JOHNSON: So moved.

BOARD MEMBER PARDO: Second.

CHAIR PRO TEM MILLER-ANDERSON: Alright. That Item was pulled by Ms. Hubbard. Do you want a presentation?

BOARD MEMBER HUBBARD: Yes. Uh, yes. I would like.., please. Thank you.

ASST. EXECUTIVE DIRECTOR RHOADS: Yes. I, I'll refer to this project as construction testing services in relation to the lift station rehabilitation and reconstruction projects that are currently ongoing. The Resolution is brought to the Board for recommendation and approval as an amendment to current work authorization for construction testing services. This is a not to exceed cost for the owner to provide services for testing of soils in materials, such as concrete, asphalt and, uh, compression testing at the new lift station sites. This was a previous work authorization that were prepared by the owner and a work authorization for $18,000 was developed for this

construction testing services. Um, I would say the original budget was under-budgeted for this as well as there were some circumstances in the field that, um, went through the budget quickly with fail'.., failure of tests and we're in the process of reviewing that.

But, this new work authorization amendment, I personally vetted through with the contractor and the geotechnical firm to ensure that, uh, we had a conservative cost here to complete the rest of the wok on, on the lift station projects. And, this is for work authorization of $38,100.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Ms. Hubbard.

BOARD MEMBER HUBBARD: Okay. And that's what I was not seeing in here that it was an amen'.., that was an, an amendment and I, and I, and I thought $38,000 was kinda low compared to the, I guess, other rehabs of the other lift stations but I didn't notice.., but I see what you.., I see.., he's, he's made it clear that this is, this is an amendment. Right?

ASST. EXECUTIVE DIRECTOR RHOADS: Yes, it is.

BOARD MEMBER HUBBARD: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: Yes, it is. $38.000.

BOARD MEMBER HUBBARD: Because it was…

ASST. EXECUTIVE DIRECTOR RHOADS: In addition to.

BOARD MEMBER HUBBARD: …lowballed. Okay. Okay. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Are there any other questions from the Board? [Pause]. Okay.

DISTRICT CLERK ANTHONY: Madam Chair, I wanna make clear for the record about the motion. The motion was made by Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: And seconded by Board Member Pardo?

[Inaudible comment]

DISTRICT CLERK ANTHONY: Okay. I just wanted to make sure cause it wasn't done in the mic'.., microphone so the transcriptionist can know.

[Inaudible comment]

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Chair Da'.., Chair Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Here. Yes.

MAYOR MASTERS: [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: [Chuckle]. Yes.

DISTRICT CLERK ANTHONY: That motion is approved with Chair Davis out.

CHAIR PRO TEM MILLER-ANDERSON: Okay. [Pause]. Okay. We're at No. Item 6.

DISTRICT CLERK ANTHONY: 6. RESOLUTION NO. _____A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE MARINA UPLANDS FUNDING INTERLOCAL AGREEMENT BETWEEN THE CITY OF RIVIERA BEACH AND (THE "CITY"), THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT (THE "DISTRICT"), AND THE CITY OF RIVIERA BEACH REDEVELOPMENT AGENCY (THE "AGENCY") BY INCREASING THE MAXIMUM AMOUNT PAID TO THE AGENCY TO $12,641,539; AND AUTHORIZING THE CHAIRPERSON AND DISTRICT CLERK TO EXECUTE SAME; AND PROVIDING AN EFFECTIVE DATE.

BOARD MEMBER HUBBARD: So moved.

BOARD MEMBER PARDO: Second.

FINANCE DIRECTOR SHERMAN: Good evening. Randy Sherman, District Finance Director. Yeah. This is the first amendment to the Marina Uplands Funding Interlocal Agreement. In 2014, the Utility District, the City and the CRA signed this Agreement to provide funding from the City and the District towards the Marina project. During last year's budget process, the CRA had, had identified the $737,000 of

unfunded Items that, that came to the City and ask that the City, uh, assist in. $599,000 is for what we'll call site amenities such as tree grates…

UNK: Yeah.

FINANCE DIRECTOR SHERMAN: …ballast, uh, benches and the hundred.., the other $138,000 is for Avenue C. So again, the City and CRA have already approved this Agreement. We actually approved it last November. This is actually.., because, again, tri-party, this is the District's approval.

[Pause]

CHAIR PRO TEM MILLER-ANDERSON: Okay. I think I.., yeah, I was absent so I guess that's why it seems fresh on my mind when that happened in November. So, this is something we've already done. I saw that in there as well…

FINANCE DIRECTOR SHERMAN: Yes. Mhmm.

CHAIR PRO TEM MILLER-ANDERSON: …but I know that I wasn't…

FINANCE DIRECTOR SHERMAN: And we talked about this…

CHAIR PRO TEM MILLER-ANDERSON: …present when the vote…

FINANCE DIRECTOR SHERMAN: …two weeks ago at the…

CHAIR PRO TEM MILLER-ANDERSON: …was made and we talked about it.

FINANCE DIRECTOR SHERMAN: …at the retreat.

CHAIR PRO TEM MILLER-ANDERSON: I just wanted to make that was exactly what we were, we were discussing, something that I had seen.., I mean, heard from when we talked before. Okay. That's it. Go ahead. Are we ready? Any other questions or no? [Pause]. Okay.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Chair Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

END OF CONSENT AGENDA

CHAIR PRO TEM MILLER-ANDERSON: Okay. That's the end of our Consent Agenda.

AWARDS AND PRESENTATIONS

CHAIR PRO TEM MILLER-ANDERSON: No awards and presentations?

DISTRICT CLERK ANTHONY: None.

PUBLIC HEARINGS

CHAIR PRO TEM MILLER-ANDERSON: Public hearings?

DISTRICT CLERK ANTHONY: None.

CHAIR PRO TEM MILLER-ANDERSON: Okay. We're going to our Regular Agenda. Item No. 9.

DISTRICT CLERK ANTHONY: 9. RESOLUTION NO. _____A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISTRICT TO NEGOTIATE RATES AND AN AGREEMENT WITH U.S. WATER SERVICES CORPORATION TO ASSESS, ANALYZE AND COMPLETE A CORRECTIVE ACTION(S) REPORT AS DIRECTED IN CONSENT ORDER WP-020-16; AND PROVIDING FOR AN EFFECTIVE DATE.

BOARD MEMBER PARDO: So moved.

CHAIR PRO TEM MILLER-ANDERSON: Do we have a second?

BOARD MEMBER DAVIS JOHNSON: Second.

[Inaudible background comments]

CHAIR PRO TEM MILLER-ANDERSON: Okay.

PURCHASING DIRECTOR MEALY: Dean Mealy, Purchasing. Good evening, Council. The RFP was issued on May 26th and closed on June 21st. It was RFP803-16.

There's only one firm that submitted a package to the City for this particular RFP. And they are here tonight to present or if you had questions.

CHAIR PRO TEM MILLER-ANDERSON: Okay. That's it?

PURCHASING DIRECTOR MEALY: The Selection Co'.., the Selection Committee has met and they have recommended the firm.

CHAIR PRO TEM MILLER-ANDERSON: Which committee?

PURCHASING DIRECTOR MEALY: The Selection Committee.

CHAIR PRO TEM MILLER-ANDERSON: Oh. Okay. Any questions from the Board?

UNK: I would refer to Giles.., Mr. Rhoads on this one as well.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

ASST. EXECUTIVE DIRECTOR RHOADS: Okay. What, what we have brought toward.., put before you is an authorization to negotiate with this firm that provided a proposal package in associated with the Palm Beach County Health Department Consent Order WP-020-16 to do a condition assessment of the Water Treatment Plan as well as some operational assessments in the system and, uh, review of the distribution testing in [stammer] analysis from di'.., uh, license distribution personnel. The provider of the package has worked on jobs in similar scope of services for Utilities of similar size or large in the area. We ask to move forward and negotiate rates and services with this firm to provide this condition assessment report and provide this list of personnel to the Health Department prior to the due date of July 21st.

CHAIR PRO TEM MILLER-ANDERSON: Are there any questions from the Board?

BOARD MEMBER HUBBARD: And this is to suffice for one of our.., the is to suffice for one of in-kind projects?

ASST. EXECUTIVE DIRECTOR RHOADS: This...

BOARD MEMBER HUBBARD: That they're allowing us to do?

ASST. EXECUTIVE DIRECTOR RHOADS: This is not an in-kind penalty project, no. This is a re'.., uh, requirement inside the Consent Order itself that the respondent needs to provide.

BOARD MEMBER HUBBARD: And we are the respondent?

ASST. EXECUTIVE DIRECTOR RHOADS: Yes.

BOARD MEMBER HUBBARD: That we need to provide? Okay.

PURCHASING DIRECTOR MEALY: The dir'.., going back to the previous Council meeting, [inaudible] Council meeting two months ago when the direction was given for me to go out and do a new solicitation that's.., we, we fast tracked it. Uh, we did it.., we put it out the following week and we actually put it in with 21 days so we, we, we were very time sensitive and we, we tried to expedite the package so we can meet the timeframe of the Order as well.

MAYOR MASTERS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: Did, did you name some of the other cities that, that they have done work for? Some of the other Districts, rather.

PURCHASING DIRECTOR MEALY: I'm going to refer to the vendor themselves so they can speak.

MAYOR MASTERS: That's fine. Come on up, sir. Come on down. [Chuckle].

MR. G. DEREMER: Good afternoon. Good evening.

MAYOR MASTERS: Good evening.

MR. G. DEREMER: For the record, my name is Gary Deremer. I'm the President of U.S. Water. To answer, uh, Mayor Thomas' question, they.., the, the scope of work that is proposed, uh, which is included in your Consent Order is very similar to other local cities that we've worked for including the City of South Bay, the City of West Palm Beach. Um, we've done work, although not in a Consent Order but to resolve many water quality issues throughout Florida, in Golden Gate, Lehigh Acres, Pasco County, the City of North Lauderdale, the City of Lauderhill. Um, so we're, we're very familiar with, you know, the process of water treatment and the process of trouble shooting systems and doing assessments. And I, and I can tell you that, you know, assessments take you in all different directions. We're.., our company is an engineering company, we're a contracting company, we're an operations company. So we're well-versed in trying to sort things out as far as which direction it might take you. We don't have any kind of preconceived, um, notion of where it might take us. But I'm quite sure that we can, um, help the City provide reliable and safe drinking water which I, I believe is everybody's goal here.

There was a question about staffing to the project. I, I have a relationship with many of the people at the Health Department. Initially, in the West Palm Beach situation where they had an outbreak of, uh, coliform bacteria, you know, I committed to them that I

would head up that project because of the nature of that project. I've also committed to the Health Department in this case that I would be the person on the ground, for Utility. I have a home in Wellington so I would, uh, I, you know, I, I actually live on the other coast but I would come over for that, that period of 60 to 70 days and, you know, be the lead person on the project, as well as other folks that have worked with me for many years that, uh, that I would rely on for support.

MAYOR MASTERS: You seem to have a great reputation with, uh, Palm Beach County Health Department.

MR. G. DEREMER: We do. We're very proud of our reputation with the Health Department there as well as the DEP throughout the state. If there's a tough problem that, you know, has been out there for water or wastewater treatment, um, a lot of those things kind of find their ways to us. So, you know, like I say, we're prepared to help the, the City any way we can.

MAYOR MASTERS: Have you, [clears throat], excuse me. Have you done any work out of the s'.., out of the State of Florida?

MR. G. DEREMER: We do. We have a, a, uh, relatively large project we're working on right now in.., for the City of San Antonio. We have work in Austin, Dallas. Um, we have a large 20 MGD system we're starting right now in Iowa, Nebraska, Oklahoma, we started our first system there.

MAYOR MASTERS: So, what you say? You're the best out there, wouldn't you?

MR. G. DEREMER: I like to think we're the best.

MAYOR MASTERS: [Chuckle].

MR. G. DEREMER: We not, you know, we're.., I, I have to tell you, you know, we're, we're a firm of…

MAYOR MASTERS: I'm just kidding.

MR. G. DEREMER: …of, you know 450 to 500 people so, we're not the largest, um, we're probably the.., we're the largest in Florida but we're not the largest. Some of our competing firms are international firms with, you know, sales of excess of $1,000,000,000 a year but, uh, I've, uh, I've been in Florida since I've been five years old and this is all I've ever done in my professional career so we're gonna give you guys some good advice.

MAYOR MASTERS: One final question. Were you contacted at all with the, uh, about the Flint situation?

MR. G. DEREMER: Flick situation?

MAYOR MASTERS: Flint, Michigan.

MR. G. DEREMER: Oh, Flint situation. Well, a friend of mine, Lois Frankel [chuckle], who you guys know probably.

MAYOR MASTERS: Yes.

MR. G. DEREMER: Uh, I, you know, sent a few emails out but, uh, you know, that, that, I think they got that situation figured out very quickly.

MAYOR MASTERS: Okay.

MR. G. DEREMER: But, uh, we thought about it but we, you know, we didn't, we didn't go that far.

MAYOR MASTERS: You were on stand-by?

MR. G. DEREMER: We were thinking…

MAYOR MASTERS: You were waitin'. Okay.

MR. G. DEREMER: Yeah. That's right.

MAYOR MASTERS: Thank you, sir. Thank you, Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: Are there any other questions from the Board? [Pause]. I did have a question. This.., and it may not be necessarily for you. Is, Ms. Jones or Mr. Rhoads, he.., this is similar to bringing us into compliance or similar to what Mr. Beaudet is doing? Are we replacing Mr. Beaudet or? How does that company figure in with what we already have got going on.., have going on?

CITY MANAGER JONES: They're.., the scope of how broad the study is, is different. Mr. Beaudet is here helping us as we do day-to-day, those things to troubleshoot to make sure the purchasing procurement, that we can do the Consent Orders and all of that. Kind of the administrative.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CITY MANAGER JONES: What this company do, they will look at your systems, they will look at your pipes, they'll look at your processes, they'll look at everything and make a recommendation based on what they find.

CHAIR PRO TEM MILLER-ANDERSON: Was this, this company very similar to when we discussed BFA for this.., was that…

CITY MANAGER JONES: Could have..

CHAIR PRO TEM MILLER-ANDERSON: ...the same?

CITY MANAGER JONES: ...been.

CHAIR PRO TEM MILLER-ANDERSON: But they did...

CITY MANAGER JONES: But they...

CHAIR PRO TEM MILLER-ANDERSON: ...not apply?

CITY MANAGER JONES: ...elected not to...

CHAIR PRO TEM MILLER-ANDERSON: They didn't...

CITY MANAGER JONES: ...submit anything.

CHAIR PRO TEM MILLER-ANDERSON: ...submit a bid? Okay.

CITY MANAGER JONES: Yes. Same area.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Are there any other questions? [Pause]. Alright.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Chair Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM MILLER-ANDERSON: Okay. That's the end of our Regular Agenda. Do we have any public comment cards, cause I don't have any?

CITY MANAGER JONES: [Inaudible].

[Inaudible comments about Item 10]

UNK: What about No. 10?

MAYOR MASTERS: No. 10.

CHAIR PRO TEM MILLER-ANDERSON: No. 10.

DISTRICT CLERK ANTHONY: Madam Chair, we have one more Item.

CHAIR PRO TEM MILLER-ANDERSON: Did I...

BOARD MEMBER DAVIS JOHNSON: You skipped it.

DISTRICT CLERK ANTHONY: Number 10.

BOARD MEMBER DAVIS JOHNSON: You scratched it out.

CHAIR PRO TEM MILLER-ANDERSON: Where did I scratch'... Oh.

[Chuckles]

CHAIR PRO TEM MILLER-ANDERSON: See? Ya'll told me to take it off, I took it all the way off. I'm sorry.

[Chuckles]

CHAIR PRO TEM MILLER-ANDERSON: Okay. 10 is back on my Agenda now.

CITY MANAGER JONES: Yeah, okay.

CHAIR PRO TEM MILLER-ANDERSON: Alright. I'm sorry. No. 10.

DISTRICT CLERK ANTHONY: 10. RESOLUTION NO. _____A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE DISTRICT TO APPROVE AMENDMENT NUMBER TWO TO THE CONTRACT BETWEEN THE UTILITY SPECIAL DISTRICT AND C SOLUTIONS INC. TO PROVIDE CONTINUING PROFESSIONAL ENGINEERING SERVICES FOR LIFT STATIONS NO. 10 AND NO. 50 NOT TO EXCEED THE AMOUNT OF $207,243.00; AND AUTHORIZING THE DISTRICT FINANCE DIRECTOR TO PAY THIS AMOUNT FROM ACCOUNT NO. 411-1417-536-0-3106; AND AUTHORIZING THE UTILITY DISTRICT BOARD CHAIRPERSON AND DISTRICT CLERK TO EXECUTE AMENDMENT NUMBER TWO; AND PROVIDING FOR AN EFFECTIVE DATE.

BOARD MEMBER PARDO: So moved.

BOARD MEMBER DAVIS JOHNSON: Second.

CHAIR PRO TEM MILLER-ANDERSON: Okay. You have a question? Yes.

BOARD MEMBER HUBBARD: In Item No. 5 and in Item No. 10, tell me the difference...

CHAIR PRO TEM MILLER-ANDERSON: Well, can we get the presentation first for...

BOARD MEMBER HUBBARD: Okay.

CHAIR PRO TEM MILLER-ANDERSON: Can, can we...

BOARD MEMBER HUBBARD: That's what I...

CHAIR PRO TEM MILLER-ANDERSON: You want him...

BOARD MEMBER HUBBARD: ...wanted him to present.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

BOARD MEMBER HUBBARD: To include...

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

BOARD MEMBER HUBBARD: ...to include in his presentation...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

BOARD MEMBER HUBBARD: ...whatever that might be. But I'm looking to, hopefully, to hear from the presentation is the differences and the similarity and what's happening with No. 5 and No. 10. One is $38,000 and one's $227,000.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: Yes, ma'am. What you have in this Resolution is we are bringing a recommendation for approval of extending construction administrative services for the lift station construction project. What you had in Resolution 5 were for construction testing services that are done by a geotechnical firm. The construction testing would, uh, they take density tests of the pack and fill under, say, roadways or trench work that has been refilled and taken, uh, density tests, um, as concrete that gets poured for building foundations and building walls, slabs and things like that. That's what Resolution No. 5 was about.

What you have here in Resolution No. 10 is to proceed with extending construction administrative services for a consultant, C Solutions, and providing them... They provide various tasks in this contract. Some of the most important ones are general management, project meeting coordination, project meeting representation and recording of project meetings, contract interpretation, shop drawing reviews, contract document question reviews interpretation, uh, pay app review, change order proposal processing and discipline specific inspections that would be outside of the building department inspections to ensure conformance with contract documents, as well as an onsite project representative to document construction representation for the owner, the Utility or the City themselves.

BOARD MEMBER HUBBARD: Question. The.., so, C Solutions is a company that does density testing, they do the construction and they can do the administration as well. Is this.., based on what you just read.

ASST. EXECUTIVE DIRECTOR RHOADS: I'm glad you asked that cause I didn't clarify in, um, Item No. 5. C Solutions has a project team of various, uh, [pause], consulting firms. Under that team, there's a, a Radise International that are in the City of Riviera Beach, that are geotechnical firm, um, that are part of their project team. So they are essentially the...

UNK: Pass through.

ASST. EXECUTIVE DIRECTOR RHOADS: Yeah. Essentially a pass through, so, through C Solutions to do the construction testing, Radise. But, uh, C Solutions and Hazen and Sawyer provide the construction administrative services.

BOARD MEMBER HUBBARD: Okay. Now let's talk about what's happening with 10.

ASST. EXECUTIVE DIRECTOR RHOADS: Okay. Lift Station 10, it...

BOARD MEMBER HUBBARD: No, no. C Solutions role and which one of the project team members are performing these services and, again, which services are they? Because you, you.., a couple of things. Like in, like in 5, you said that Deeks is going.., is actually going to do the work, C is a pass through. So what's happening in 10?

ASST. EXECUTIVE DIRECTOR RHOADS: 10 will be, uh, C Solutions will be primary.., he'.., project.., the project manager of the construction administrative services.

BOARD MEMBER HUBBARD: Mhmm.

ASST. EXECUTIVE DIRECTOR RHOADS: With, uh, team members handing it's specifics, uh, inspection services as well as assisting in construction administrative services and project management and relevant shop drawings review.

BOARD MEMBER HUBBARD: Okay. And how long is this contract supposed to be for?

ASST. EXECUTIVE DIRECTOR RHOADS: The contract for this project is simultaneously goes on with the lift station construction project. It extends out a little beyond because there's operational training following substantial and final completion of this project, by the contractor.., construction contractor.

BOARD MEMBER HUBBARD: Is C Solutions the contractor that beat out BFA in the beginning?

ASST. EXECUTIVE DIRECTOR RHOADS: They, uh, we.., were part of a separate solicitation. I do not recall if BFA was on the, uh, RFQ on that selection. I do not recall.

BOARD MEMBER HUBBARD: Okay. You don't think they were on it at all?

ASST. EXECUTIVE DIRECTOR RHOADS: I do not believe so. I...

BOARD MEMBER HUBBARD: Okay.

ASST. EXECUTIVE DIRECTOR RHOADS: ...do not believe so.

CHAIR PRO TEM MILLER-ANDERSON: Are there any other questions?

MAYOR MASTERS: Yes, Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: You finished, Ms. Hubbard?

BOARD MEMBER HUBBARD: I am. Thank you, sir.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: Wh'.., you, you don't recall?

ASST. EXECUTIVE DIRECTOR RHOADS: I do not recall. They.., BFA may have had a [pause], contract at the time. I do not recall. This was, uh.., this contract was approved... I'm sorry. Let me take this back. This...

UNK: [Inaudible].

ASST. EXECUTIVE DIRECTOR RHOADS: ...this was an RFP [stammer]...

UNK: Thank you.

ASST. EXECTUIVE DIRECTOR RHOADS: ...simply for, uh...

UNK: [Inaudible].

ASST. EXECUTIVE DIRECTOR RHOADS: ...to, to design and construction services of the lift station. This is not part of the continuing services contract. So the consultant won this RFP in the CC and A process to, to, uh, design and then further, we amended that contract for construction administration services as well as certification of the project at final completion.

MAYOR MASTERS: So the answer is that they were not.., BFA was not in this?

ASST. EXECUTIVIE DIRECTOR RHOADS: Uh [pause]...

MAYOR MASTERS: Did they...

ASST. EXECUTIVE DIRECTOR RHOADS: I do not know. This was before I started here.

MAYOR MASTERS: Okay.

CITY MANAGER JONES: It was a long.., it was a while ago.

MAYOR MASTERS: Okay.

CITY MANAGER JONES: Yeah.

MAYOR MASTERS: I'd like to get that information, whenever you can.

ASST. EXECUTIVE DIRECTOR RHOADS: Okay.

MAYOR MASTERS: By the next meeting. Also, the, the company.., have you, um, in your due diligence and research, can you tell me a little bit about the company? The, the, uh, construction.., the consultant?

BOARD MEMBER DAVIS JOHNSON: [Inaudible background].

ASST. EXECUTIVE DIRECTOR RHOADS: The consultant's in the crowd if I could ask him to come up and tell you a little bit about his skills and his experience.

CHAIR PRO TEM MILLER-ANDERSON: Sure.

MAYOR MASTERS: Yeah. I'd like to know.

C SOLUTIONS REP: Hi, Mayor.

MAYOR MASTERS: Hi. How are you?

C SOLUTIONS REP: Pretty good. We essentially are a, an engineering consulting firm and on our team we have other members, Hazen and Sawyer. Um, and this is all we do. We do water and wastewater treatment on, uh, on many treatment plants for other municipalities, Miami-Dade County, Broward County, Palm Beach County. I think we've just done master plans.., C Solutions put on the master plans, water and wastewater for Riviera Beach. We were a sub to Hazen and Sawyer at that time. We've done the master plan for the Glades, as part of a team there. Palm Beach County, we're part of, uh, Camp, Dresser and McKee's team for Broward County. And we've done a lot of pump stations across the state. I've been here locally for 20 years and I think the first inline booster I did was City of Sunrise in 1996. Our teams done over, I think, [pause]...

MAYOR MASTERS: But it's...

C SOLUTIONS REP: ...[inaudible] large, large wastewater pump stations. We probably have over 90 of them considering this project is just one of them.

MAYOR MASTERS: How many...

C SOLUTIONS REP: So we specialize in doing treatment plants and big pump stations systems.

MAYOR MASTERS: How many employees do have in the company?

C SOLUTIONS REP: C Solutions has four.

MAYOR MASTERS: Four? How diverse is that four?

C SOLUTIONS REP: How diverse [inaudible]...

MAYOR MASTERS: Diverse? Do you have any...

C SOLUTIONS REP: Uh, well, we have...

MAYOR MASTERS: ...minorities of the four or just what?

C SOLUTIONS REP: Uh, personally, I am, uh...

MAYOR MASTERS: I thought you looked a little darker.

C SOLUTIONS REP: Yeah.

[Chuckles]

C SOLUTIONS REP: Personally, I am.., my dad.., my dad's English...

MAYOR MASTERS: Mighta been the light in the room.

C SOLUTIONS REP: Yeah. My dad's English and my mom is Jamaican so we are a, we are a statewide, certified, uh, MB firm, African [inaudible] firm and we're also federally certified as a DB firm and have been since 2007.

MAYOR MASTERS: Alright. Thank you.

C SOLUTIONS REP: And.., but, on the diversity of our employees, the, person here.., we, we do have diversity in our team, plus we have experience and I think that's what really counts. Two of our employees have...

BOARD MEMBER HUBBARD: He shouldn't've said that.

C SOLUTIONS REP: ...48 years of experience and one was the former lead design engineer for CDM for the entire southeast United States. So, this is essentially what we do. This is always what we've done and we continue to do it, hopefully, well for you.

BOARD MEMBER HUBBARD: Question, Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes. Go ahead.

BOARD MEMBER HUBBARD: The, um, you know, [pause], skill, quality and qualification is definitely high on the list of priorities and it's definitely what matters but you have an array, I guess, of team members or subs that you work with because, you know, we know all four of ya'll can't do all th'.., all of this work. So, what are some of the companies that you team with?

C SOLUTIONS REP: Well, Hazen and Sawyer's a recognized national firm, does international work. We also do some international work. I think the latest was a 12,000,000 MGD plant for, uh, for the country of Panama. Hazen and Sawyer is a large [chuckle], large engineering firm. They're working with Miami-Dade on a lot of their projects, also on one of the largest Consent Decree projects in the entire nation for the City of New York City. They're...

BOARD MEMBER HUBBARD: So...

C SOLUTIONS REP: ...their consultant.

BOARD MEMBER HUBBARD: with that said, do you, do you have, um, many other minorities, other than yourself, that you, you know, try to outreach work with or whatever or because you meet the standard for the MB or SB, that's enough?

C SOLUTIONS REP: Well, in our company, I mean, two of the guys I mentioned are contr'.., uh, three are contracts. So, if I said four, we really have a couple more because I have a contract inspector and the, the two gentlemen that I had, I had told ya about but three of.., if you're including me, three of our employees, Mike Katech, Todd Morgan that many of you might have met and, and also our latest junior, are, are African American, if that's the question.

BOARD MEMBER HUBBARD: That's the question.

C SOLUTIONS REP: Okay.

BOARD MEMBER HUBBARD: No problem. Hey...

[Laughter]

BOARD MEMBER HUBBARD: That's the question. Let's be real, be.., about it because, um, and not just for that. So, coming to do a project here, in Riviera Beach, you may find yourself in need of services. So, your Hazel.., and, your partner, Sawyer?

C SOLUTIONS REP: Correct. And...

BOARD MEMBER HUBBARD: That you work with? They.., I wanna know that, or trying to find out from you, when you start to look for other help, are you looking here in Riviera Beach first for, for example, he might.., I know you always ne'.., you gotta need backhoe or diggin' and stuff like that, earth moving and...

C SOLUTIONS REP: We're.., ma'am, we're an engineering firm.

BOARD MEMBER HUBBARD: Mhmm.

C SOLUTIONS REP: An engineering consulting firm. We do n'.., we do no construction.

BOARD MEMBER HUBBARD: None?

C SOLUTIONS REP: None. So, we, we do none and our team members that we set, uh, just to be clear, we have a couple.., two contracts actually.

BOARD MEMBER HUBBARD: Okay.

C SOLUTIONS REP: We have the 10 and 50, that was awarded and it was advertised as a single contract.

BOARD MEMBER HUBBARD: Okay.

C SOLUTIONS REP: Which we pursued and won. We also have a general consulting services contract and you typically have two of those and you're about to refill.., I think there's an advertisement out that'll probably be coming in to bid soon which will have the second general consulting engineer that the Rivie'.., City of Riviera Beach could use as they would like. For instance, Mr. Rhoads brought up Agenda Item 5. Under the existing contract,...

[Inaudible whispering]

C SOLUTIONS REP: ...the owner, which is you, is required to hire their own independent, you know, testing company to look over.

BOARD MEMBER HUBBARD: Okay.

C SOLUTIONS REP: We serve as an owner's rep. The Riviera Beach Utility District asked us, because we have an existing contract and they needed that to use...

BOARD MEMBER HUBBARD: To provide the service...

C SOLUTIONS REP: ...the services.., right.., of Radise to do that. That's as like a work or'.., work...

BOARD MEMBER HUBBARD: Okay.

C SOLUTIONS REP: ...authorization under a general services amendment. So, you can have many of those for your general, general contractor.

BOARD MEMBER HUBBARD: Gottch ya.

C SOLUTIONS REP: What we're speaking of here, is for Lift Station 10 and 50, which is a separate contract...

BOARD MEMBER HUBBARD: Yes.

C SOLUTIONS REP: ...from the general services contract. On that contract, we are providing services to look at the work of the contractor that was selected and why we're here is to make sure that they give you what you need to have, to make sure that they provide the quality construction services they need to provide, we provide specifications for them to follow, we're making sure they adhere to those. So that when you get a project and you get the completion of that project, you know it's gonna work and that wastewater east of I-95 will be pumped to ECR.

BOARD MEMBER HUBBARD: So you design the project?

C SOLUTIONS REP: I did design it.

BOARD MEMBER HUBBARD: And then you make sure that the construction team construct it the way that you designed it and that it operates the way that you intended for it to flow?

C SOLUTIONS REP: That is…

BOARD MEMBER HUBBARD: That's your purpose.

C SOLUTIONS REP: …a perfect summary.

BOARD MEMBER HUBBARD: Okay.

C SOLUTIONS REP: That's exactly what we're doing.

BOARD MEMBER HUBBARD: That's, that's your purpose. Okay. How much is the construction on this project, on this project?

C SOLUTIONS REP: It's $3.8M.

UNK: Hush.

[Chuckles]

BOARD MEMBER HUBBARD: Mm. This might not be a question for you. Who's building this $3.8M. Pam say, 'not me.'

C SOLUTIONS REP: Close Construction.

BOARD MEMBER HUBBARD: Hmm?

C SOLUTIONS REP: Close Construction.

[Pause]

BOARD MEMBER HUBBARD: That's the name of the company?

CITY MANAGER JONES: C-L-O-S-E, Close.

C SOLUTIONS REP: Yeah. That is, that is…

UNK: [Inaudible] C Solutions.

C SOLUTIONS REP: …the contractor that was selected. So, so they're the ones with the backhoe and earth moving…

BOARD MEMBER HUBBARD: Close Construction?

C SOLUTIONS REP: Close Construction. Yes.

DISTRICT ATTORNEY RYAN: And Madam…

BOARD MEMBER HUBBARD: They've been…

DISTRICT ATTORNEY RYAN: …Chair, if I may?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT ATTORNEY RYAN: One of the reasons that we're bringing this amendment to you, is because of the extra work that this company is having to do…

BOARD MEMBER HUBBARD: Becau'…

DISTRICT ATTORNEY RYAN: …because of issues that we're having with Close Construction. I wanted to wait 'til this was done to [pause]…

UNK: [Inaudible].

DISTRICT ATTORNEY RYAN: Um…

[Chuckles]

DISTRICT ATTORNEY RYAN: To, to discuss this but Staff has been meeting about Close Construction in the last few weeks and, um, in attempting to draft a memo that Ms. Pardo asked for on.., as an update, we met and have determined that there are a lot of issues, including their request for 180 day Change Order. I think the whole project was supposed to take…

C SOLUTIONS REP: 365…

DISTRICT ATTORNEY RYAN: One year.

C SOLUTIONS REP: …days.

DISTRICT ATTORNEY RYAN: 365… Right.

C SOLUTIONS REP: To…

DISTRICT ATTORNEY RYAN: And so, they're asking for a 50%...

CITY MANAGER JONES: To 180.

DISTRICT ATTORNEY RYAN: ...increase and, um, I will say that, if I were gonna be here and I, I expressed this to them, I would become more involved because I think that this case is gonna end up in litigation. But I have spoken with Attorney Malcolm Cunningham who does a great deal of construction litigation. I believe that Staff [stammer], if the Board will allow Staff to retain him to at least start looking at the issues because I believe that eventually, if we can't get them in line, and I'm not sure that we can at this point, that we may be filing a lawsuit against Close Construction and we're definitely going to write a letter to their surety company to put them on notice that they are falling way behind on this construction project...

BOARD MEMBER HUBBARD: So, so...

DISTRICT ATTORNEY RYAN: And...

BOARD MEMBER HUBBARD: ...so what's the problem? So, what have you found their problem to be?

DISTRICT ATTORNEY RYAN: Uh...

BOARD MEMBER HUBBARD: [Inaudible]?

BOARD MEMBER PARDO: They're not showing up.

DISTRICT ATTORNEY RYAN: I mean, one of the problems... And we can discuss some of the problems, some of the things...

BOARD MEMBER HUBBARD: [Stammer].

DISTRICT ATTORNEY RYAN: ...I've, I've read the memo and I, I'm tweaking the memo because...

UNK: Come on.

DISTRICT ATTORNEY RYAN: ...I wanna make it Attorney/Client privilege in anticipation of litigation but generally they can tell you what some of the issu'... Please, go ahead.

BOARD MEMBER HUBBARD: No. Well, let me, let me, let me ask this. I just wanna.., just for a point of clarification. The plan and design that C Solutions did, they didn't perform it well, they didn't build it out right and it's having some problems.

[Inaudible background comments]

CITY MANAGER JONES: [Inaudible]. I wouldn't say it's their design.

BOARD MEMBER HUBBARD: No, no, no, no. And I'm not saying that either.

DISTRICT ATTORNEY RYAN: Right. We're just saying...

BOARD MEMBER HUBBARD: I'm saying...

DISTRICT ATTORNEY RYAN: ...they designed the project, we took the project and put it out to bid, Close Construction won...

BOARD MEMBER HUBBARD: Was supposed...

DISTRICT ATTORNEY RYAN: ...the bid. It was a straight...

BOARD MEMBER HUBBARD: ...to be building...

DISTRICT ATTORNEY RYAN: ...it was a straight bid.

BOARD MEMBER HUBBARD: Yes.

DISTRICT ATTORNEY RYAN: They were the low bidder by about $40,000 and.., so, we awarded the project to...

BOARD MEMBER HUBBARD: To them, right.

DISTRICT ATTORNEY RYAN: They got on the project and quickly, I guess, uh, not quite.., I shouldn't say quickly but they're behind, Change Orders, which has made C Solutions...

BOARD MEMBER HUBBARD: You have to go and bring him back to see where the mistakes are...

DISTRICT ATTORNEY RYAN: Well...

BOARD MEMBER HUBBARD: ...and what's causing them all of these...

MR. B. BEAUDET: And to...

BOARD MEMBER HUBBARD: ...hiccups.

MR. B. BEAUDET: ...document them. And to document them.

[Inaudible background comment]

MR. B. BEAUDET: But, Ms. Hubbard, I, I just would like to say that I have been in this business for 49 years as a public official and an, uh, administrator of the Utility agency. This is one of the worst performing contractors that I have been involved with in that 49 years. They're asking for 6 months additional time to finish the job. They've already asked for $160,000 in Change Orders. They haven't documented their requests. But

for us to prevail and to keep from being taken to the cleaners by this company, we need to document what's going on. And that's what we're asking C Solutions to do by giving them this authorization.

BOARD MEMBER HUBBARD: And that.., and I understand that and I get that nor was that my point when I was in exchange with Ms. Ryan. And, what I was just trying to confirm and to clarify, that the reason he's here because we're trying to see what, what it is that they're doing wrong, where did they make these mistakes? Who better than he since he designed it to see what they should've did that they didn't do that's causing them to have to ask for all of these things and that's what I was trying to find out, if that's.., if that's what's going on.

Second question to that is this, when we looked at the work that they've done, they've done previously, their resume, their history, the people that they've worked for, wh'.., um, did they come back clean? Did all their other past jobs, did people say that they didn't have any problems with them? Did their ins'.., did their insurance company, um, have they been s'.., you know, sued on that before? Did we take them just because they were the low bidder?

[Pause]

ASST. EXECUTIVE DIRECTOR RHOADS: They were taken on low qualified bidder. Uh, re'.., four references were requested to be submitted in the package and Purchasing put out the questionnaire to the municipalities that were listed on the reference sheet and return responses that were in the lines of excellent to good and Purchasing made the recommendation based on those reference letters coming back from municipalities to proceed forward as a qualified contractor.

BOARD MEMBER HUBBARD: When you say excellent to good, did the type of work that they did for these municipalities, is it the same type of work that we're asking them to do here, at this time? Or was it something less complicated that they got excellent to good on?

ASST. EXECUTIVE DIRECTOR RHOADS: There were portions in there that were similar in scope and I, I would say one of three was similar in scope to a portion of this project. I wouldn't, uh, they didn't have a similar scope project to an inline booster station, um, and that wasn't...

BOARD MEMBER HUBBARD: See, uh, and just this.., they were similar in scope to one of the projects and not, not even the complete project. So, I say that to, to say this, they seem like they didn't have the experience to do the job because they were just the low bidder but they didn't have the.., they didn't seem like they had the experience to do the job. And, and I'm just getting this from what, you know, from, from the questions I'm asking and what you're telling me because, out of the four that responded and said they were excellent to good, they only had partial experience in that one job. So, they weren't ready for this job. That's why they're messing up. So [clap hands], we've got to

do a better job of checking in the back'.., you know, their backgrounds, the type of work, putting apples with apples and oranges with oranges and sometimes just because the guy's the lowest bidder, doesn't mean anything. It means he want the job. Doesn't mean he the best for the job. So, he can always bid low and then come back and ask you for change orders and amendments and still now he costing you a whole 'lot more money.

So, I just wanted to point that out to you.

MAYOR MASTERS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Go ahead.

MAYOR MASTERS: I need to know [pause], who was responsible...

CHAIR PRO TEM MILLER-ANDERSON: Get the mic [inaudible]...

MAYOR MASTERS: ...who had the... Who was responsible, who had the fiduciary duty to do the due diligence to investigate this company. Was it Purchasing or was it Utilities?

ASST. EXECUITVE DIRECTOR RHOADS: It would, Purchasing, uh, resources, uh, follows up with the references on that but, as far as I'm concerned, the Utilities do have a role to review the references themselves. At the time of the references, I did raise caution on the scope of services to the former director and Purchasing did bri'.., come back with a recommendation based on the references and we proceeded at that time.

MAYOR MASTERS: So, Purchasing one, you two. You signed off on it too, is what you're saying?

ASST. EXECUTIVE DIRECTOR RHOADS: It was signed off by the Utility, yes.

MAYOR MASTERS: Thank you, sir.

BOARD MEMBER HUBBARD: Who sat on the Selection Committee, sir?

CHAIR PRO TEM MILLER-ANDERSON: Are you finished, Mr. uh, Mayor? You done?

MAYOR MASTERS: I'm finished, yes.

BOARD MEMBER HUBBARD: Who sat on our Selection Committee?

ASST. EXECUTIVE DIRECTOR RHOADS: This was not.., there was not a Selection Committee in it. The package's reviewed for...

CITY MANAGER JONES: [Inaudible].

ASST. EXECUTIVE DIRECTOR RHOADS: ...compliance with the request and the bid.

BOARD MEMBER HUBBARD: Okay. So once the bids were open and reviewed, who reviewed them?

ASST. EXECUTIVE DIRECTOR RHOADS: Uh, that's the package itself is, initially bid.., reviewed through Purchasing Department.

BOARD MEMBER HUBBARD: So, you may or may not know the answer to this. Purch'.., so in Purchasing, who reviewed the, the package?

MAYOR MASTERS: [Chuckle].

PURCHASING DIRECTOR MEALY: Ms. Hubbard, good evening. Dean Mealy. This happened before I began. So...

BOARD MEMBER HUBBARD: Okay.

PURCHASING DIRECTOR MEALY: And I had to go back and look at the records to see how it would've actually unfolded but generally, a cursory, for technical review, Purchasing's responsibility is to make sure that each part of the sections have been addressed. At that point, then it sent to the user division or department to have them, their technical expertise review what the qualifications are as to what particular line items are being bid on and that's where the, the, the cooperation and the, the co-existence would actually agree, say, 'Hey, this is what we bid on, this is what we requested,' and they, the vendor can either complete or there's a question of whether they can do it or not.

BOARD MEMBER HUBBARD: Okay. So, if we didn't or don't have... Okay. Let's say, even if we do have the expertise or should have expertise within the Utility District and you have a engineering firm consultant on call, or something like that, wouldn't, wouldn't' you then have them open the bid packages, would you look at the level of work, compare it to what you're asking, see if these guys are ready for this kind of job? You would bring them to the table on the front end when you're opening the packages to say, 'Hey,' um, 'I don't think this guy's gonna be able to do this work,' or, 'Yeah. These guy'll be perfect for this work. Throw this one out.' You know? You, you see what I'm saying?

ASST. EXECUTIVE DIRECTOR RHOADS: Yes, I do.

BOARD MEMBER HUBBARD: So, this is what I'm.., thi'.., so, this is what I'm thinking just would be just a common order of business. We.., if we want to protect ourselves or if we wanna make sure that if we don't have the sk'.., I'm not saying the skillsets but

[pause], if we could, um, do lift stations, we'd be doing 'em ourself so we have outside people doing 'em so we need that kind of level of expertise at the table when we're gonna choose somebody for those jobs on the front end. Not on, you know, not after the fact. I think we would do our.., when we put.., I think we should put together a selection team where you can have one checking the money, one checking the skillset, somebody's looking at for technical services, somebody's saying, 'Hey, thi'.., this guy,' um, 'I heard at the last engineer meeting, '[whisper] don't hire him." And, you know, and so and so and so, so that you can get some feedback because, when the only voice you hear is your own and you are just relying on your own experience, then, I think, that's how we will end up in places like we are now.

MAYOR MASTERS: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

MAYOR MASTERS: Just briefly. You've heard the discussion tonight. You've heard, correct? You've been paying attention?

ASST. EXECUTIVE DIRECTOR RHOADS: Yes, sir.

MAYOR MASTERS: What do you think we need to do differently? Going forward? What have we learned from this process. Madam Chair, I mean, Madam Manager, would you like to come...

CITY MANAGER JONES: Can I answer that?

MAYOR MASTERS: You can.

CITY MANAGER JONES: One of the things that, and it's become very apparent as I've been meeting with Mr. Mealy and with Mr. Rhoads, and that is the volume of the procurements that have come out of Utilities is really taxing for the Purchasing Department. The Purchasing Department has what, five people, and they do the Purchasing for the entire City and backup the CRA. It is important that we establish in the Utilities Department, an individual that can do those exact reference checks you're talking about, that know enough about the profession, as well as about the vendors, to be able to assist Purchasing because we can't ask Purchasing to do that kind of in depth. And if the other individuals aren't aware of the companies, so you're gonna see in the budget coming up, a procurement position, strictly for Utilities because these things have to move, they've got to be on them and people reading them need to make sure that they're reading them correctly.

MAYOR MASTERS: Thank you. [Stammer], in all experiences, we always wanna grow, go and glow and learn then we won't make the same mistakes again. Thank you, Madam Manager.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

BOARD MEMBER HUBBARD: One more comment, Ms.., Madam Chair.

CHAIR PRO TEM MILLER-ANDERSON: Mhmm.

BOARD MEMBER HUBBARD: Even, you know, even with that said, I would not expect Purchasing to be the technical knowledge bearer of this. What I would've expected would be the Utility Department to have enough, one, technical experience to know what they don't know and two, enough of, uh, relationships and ski'.., skillsets to, to look at it a lot better than Purchasing and saying, if Purchasing say, 'Hey, this guy's the low bidder,' and, and it gets over to Utility and Utility, somebody at Utility should be able to say, 'He might be the low bidder but he don't have the experience for this job.' And then they kick it back to Purchasing and say, 'Who's your next guy? He, he was a little higher than the one we just kicked out but he's a lot better, we'd rather work with him because he has more experience.' Somebody in Utility need to have that level of experience.

Now, not because we're bringing in a procurement person but I still state that if you are, you're the engineer and you're heading up this department, you've got to at least be able to look at somebody's resume and say...

[Inaudible background comment]

BOARD MEMBER HUBBARD: ...'Are they capable of doing what you want them do,' just on the surface and then that's when you're gonna bring your other guy in to say lo'.., to look at it too to say, 'This is what I think,' and he might say, 'Yeah. He alright.' And he might even kick it out but I'm, but I'm just saying, we, we have, we, we have the right to expect at least that le'.., that skillset inside.., in, insi'.., in house.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Any other questions from the Board?

BOARD MEMBER DAVIS JOHNSON: Will this position that you're talking about.., will this position that you're talking about be advertised?

CITY MANAGER JONES: It will be advertised but we are gonna be looking for, if we can, we can, that specialty as it relates to Utilities. May not have it but then we'll go to a general procurement person.

BOARD MEMBER DAVIS JOHNSON: So, are we, um, in instances where there are a large procurement such as these, do we have to necessarily do it as an invitation for bid? Can we put it out as a request for proposals to, um.., because I know that there are different requirements for different solicitations. So, you know, when we're doing the bid, the bid is, is strictly based on price? Right?

ASST. EXECUTIVE DIRECTOR RHOADS: On, on construction services or design services? Like, construction typically comes back as a request for proposal from a qualified contractor.

BOARD MEMBER DAVIS JOHNSON: Mhmm.

ASST. EXECUTIVE DIRECTOR RHOADS: Whereas, [inaudible] design services through the CC and A would be a request for qualifications and the right to negotiate rates.

BOARD MEMBER DAVIS JOHNSON: And Close came under request for qualifications?

ASST. EXECUTIVE DIRECTOR RHOADS: No. They were under an RFP, Close was. Close Construction's a contractor building the lift stations.

[Inaudible comments]

CITY MANAGER JONES: It's a bid, it's not a RFP.

UNK: [Inaudible].

MR. B. BEAUDET: An invitation for bid.

ASST. EXECUTIVE DIRECTOR RHOADS: Invitation for bid.

BOARD MEMBER DAVIS JOHNSON: It was an invitation for bid.

DISTRICT ATTORNEY RYAN: But it could've been an RFP.

CITY MANAGER JONES: But it could've been an RFP.

BOARD MEMBER DAVIS JOHNSON: I think that that's something that we also need to, to take a look at as to how we are soliciting. Because certain solicitation gives you the flexibility to look at overall…

CITY MANAGER JONES: Correct.

BOARD MEMBER DAVIS JOHNSON: …experience, scope of work, references. Whereas, a bid just simply says you look at the lowest bid and that's where you go. So…

ASST. EXECUTIVE DIRECTOR RHOADS: Mhmm.

BOARD MEMBER DAVIS JOHNSON: I would suggest, in addition to having that extra set of eyes, that we really take a look at how we are letting those solicitations…

ASST. EXECUTIVE DIRECTOR RHOADS: Yeah.

BOARD MEMBER DAVIS JOHNSON: ...to allow us the flexibility to, um, to maneuver and to get to where we need to get to as it relates to identifying the best company to perform.

ASST. EXECUTIVE DIRECTOR RHOADS: And I do agree.

BOARD MEMBER DAVIS JOHNSON: Thank you.

PURCHASING DIRECTOR MEALY: Ms. Johnson, just to sate, in the 10 months I've been here, I think we've only put out three ITB's, the rest of 'em have all been RFP's. I've been trying to increase the number of RFP's so we can actually figure out what kind of qualifications are actually sitting out there as compared to just a straight bid where you have a lot of...

BOARD MEMBER DAVIS JOHNSON: [Inaudible].

PURCHASING DIRECTOR MEALY: ...unknown variables. Unless you [stammer] ITB's are great for, for, for commodities, not for...

BOARD MEMBER DAVIS JOHNSON: Absolutely.

PURCHASING DIRECTOR MEALY: ...services.

BOARD MEMBER DAVIS JOHNSON: Absolutely.

PURCHASING DIRECTOR MEALY: Just in my experience over the last 40 years, so.

UNK: There ya go.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

BOARD MEMBER DAVIS JOHNSON: Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Any other questions from the Board?

BOARD MEMBER DAVIS JOHNSON: No.

CHAIR PRO TEM MILLER-ANDERSON: Ms. Pardo?

BOARD MEMBER PARDO: No.

CHAIR PRO TEM MILLER-ANDERSON: Alright.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Chair Miler-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Now we're...

DISTRICT ATTORNEY RYAN: Madam Chair?

CHAIR PRO TEM MILLER-ANDERSON: ...at the end... Oh. See? [Inaudible].

DISTRICT ATTORNEY RYAN: We need consideration to, um, allowing Staff to hire Mr. Cunningham on a, um, consultation basis [pause], while Staff is looking at whether or not litigation should be had with Close Construction and we would expend funds within the Manager's authority at this level because Staff may have to come back and ask for, um, a lawsuit to be filed.

BOARD MEMBER HUBBARD: I...

DISTRICT ATTORNEY RYAN: Against Close Construction.

BOARD MEMBER HUBBARD: I have another...

CHAIR PRO TEM MILLER-ANDERSON: Hold on.

BOARD MEMBER HUBBARD: ...question.

CHAIR PRO TEM MILLER-ANDERSON: Hold on one minute. Are we good in this section here? Or is this something we need to come back at the end...

BOARD MEMBER HUBBARD: It's [inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: ...with our comments?

DISTRICT ATTORNEY RYAN: Well, I was only bringing it up because it was related to the…

CHAIR PRO TEM MILLER-ANDERSON: Okay.

DISTRICT ATTORNEY RYAN: …the Item.

CHAIR PRO TEM MILLER-ANDERSON: Even though we already voted and everything? Alright. Does anybody have any comments about that?

BOARD MEMBER HUBBARD: Yes, please.

BOARD MEMBER PARDO: I have no problem [inaudible].

BOARD MEMBER HUBBARD: The, the reason I have a question is, be'.., because, don't we want to wait until the gentleman do his analysis and survey and see where the problem is so when you go to the attorney, you'll be able to tell him what the problem is? Or no?

DISTRICT ATTORNEY RYAN: Well, we've been meeting [pause], I and Ms. Busby, we've been meeting with staff quite a bit and every time they say, 'Okay. We think we got it, we think we have 'em on, on task,' they come back a week later and say, 'We don't think we have 'em on task. The.., they say they're gonna do x, y and z. They haven't done it,' and…

BOARD MEMBER HUBBARD: I must be confused. I must be totally confused. Help me out before we leave. My thinking is this, and, and I'm sure I must be off. Now, be'… We're bringing in this gentleman…

DISTRICT ATTORNEY RYAN: I…

BOARD MEMBER HUBBARD: …because we're having a little problem with the construction company. He's gonna analyze the situation, take a look at the situation, see what's going wrong, see where the problem is and then tell us what he think we should do. He might tell us that.., he may tell us that, 'Hey, these guys just don't have it. The only way ya'll gonna be able…

DISTRICT ATTORNEY RYAN: Okay.

BOARD MEMBER HUBBARD: …to recoup your money is to get yourself an attorney.' And then at that point, then we get ourself an attorney. Because [pause] we don't know what to tell the attorney, the attorney what the people have done and what the problem… We, we can say they're doing a bad job, they're slack, they got problems, they late, they want a hundred and, and eighty days. But, wouldn't we, then what is he gonna do after the fact? If we go into litigation and then we tell him to, tell

him to take a look at the problem? But don't we want him to take a look at the problem before we go into litigation?

MR. B. BEAUDET: I, I'd like to answer that, Ms. Hubbard. When you begin to have problems with a contractor…

BOARD MEMBER HUBBARD: Mhmm.

MR. B. BEAUDET: …that is the time to bring in expert legal counsel. Because you have a lot of options ahead of you, what you really would hope not to do is to get into litigation. You have the opportunity to terminate a contractor, it's in the contract. Does not require litigation. You have the opportunity to go to the surety bondholder and, you know, try to recoup money from them or force them to force the contractor to comply with the specifications. You do have litigation as an option. You might be able to resolve the problems with a mediation or an arbitration. But, it takes a seasoned construction attorney to really look at the facts and to tell you this is your best option. And to tell you what you have to do to document that option. And, that is the way that I have handled these kinds of situations in my career. You get that advise before you start taking some action because then you know, you'd have more confidence that the action you're taking is correct and you have more confidence that you have the right data to back it up.

BOARD MEMBER HUBBARD: Okay. Well, I guess it was something I said that led you to believe that I didn't understand the part about the different legal strategies and the fact that Mr. Cunningham, you know, was an expert construction… What I would've.., what I was listening desperately to hear is for you to tell me why we wouldn't have him analyze the situation on the front end in order to.., before going to the attorney.., be'.., before going to the attorney with the problem, I wanted you to explain to me why you would go to the attorney before you find out what the problem is. I was hoping that you was going to tell me that. But, you don't have to tell me. I just wanna know, um, now I do wanna know [pause] from another angle… Can I ask you a couple questions, sir? Come right up.

C SOLUTIONS REP: I even dressed up.

BOARD MEMBER HUBBARD: See? Yeah. Yeah. We want everybody to see your nice suit and stuff. Let's.., but really, um, am I.., tell me, is this what you're going to do? You're going to look at what's going on and you're gonna see.., you're gonna point out, draw red circles, highlight where the, where the problem is and you might even be able to tell us why they're having these problems and what's making…

[Inaudible background whispering]

BOARD MEMBER HUBBARD: …them need these delays based on the plans and based on what you see and based on what's going on. Is that what you explained a few minutes ago that you were gonna be able to do?

C SOLUTIONS REP: Correct. And, and I think one of the important things is that's what I'm going to continue to do. So, when we do do things, I, I would think one thing on.., when you do have bidding, a lot of times you do go to your engineer and bidding services and say, 'What are your recommendations on this person?' For future and, and different things, that's definitely something that should be done is seek, seek the counsel of your engineer to say, 'Hey, have you guys have heard of this contractor, this contractor,' and then once those.., that advice is given, then maybe, you know, it could be given some credence as to then you could say, 'Well, this isn't the lowest qualified,' and go to the next.

The second part would also be, what I'm doing is looking at that and what we have is we've been doing that and currently doing that but with a such a contractor, it takes a lot more time if we have specifications that are a 1,000 pages from a contractor that's used to doing this work, that's read it, that knows how to do the work, it takes a lot less time to manage that type of contractor as opposed to manage a contractor that doesn't know how to do those things. So, a lot of what we're doing is putting a lot more effort in to documenting everything that's happening, to giving that extra.., a lot of extra helping hand, it's hours of people in the field to observe what's happening. That's what we're doing. So we've, we have viewed that contractor and we've spent a lot more time in doing so. This is kind of us continuing to get you to the end with all of the additional concerns that are there.

BOARD MEMBER HUBBARD: Okay. Because...

C SOLUTIONS REP: Does that...

BOARD MEMBER HUBBARD: ...that wasn't...

C SOLUTIONS REP: ...make sense?

BOARD MEMBER HUBBARD: ...mentioned... It does make sense but that was never mentioned that you were actually doing that now and that that will be some of the information that will be presented to Mr. Cunningham. That was never s'.., never said. I could understand that clearly.

Thank you so much.

C SOLUTIONS REP: Thank you, ma'am.

CHAIR PRO TEM MILLER-ANDERSON: Okay. So, did we answer your question? Are we... did you have a comment?

DISTRICT ATTORNEY RYAN: I do.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

DISTRICT ATTORNEY RYAN: I'm just mak'.., I wanna make sure that we have Council's consent to go ahead and retain him to at least consult with, um, Staff on the Close Construction issue as it unfolds in the next few weeks.

BOARD MEMBER PARDO: I'm good with that.

CHAIR PRO TEM MILLER-ANDERSON: Ms. Hubbard?

BOARD MEMBER HUBBARD: Yes.

BOARD MEMBER DAVIS JOHNSON: Mhmm. Do we need it in a motion?

DISTRICT ATTORNEY RYAN: Um, I would prefer a motion, if we could have it, for the record.

BOARD MEMBER PARDO: Okay. I'd like to make a motion to hire Malcom Cunningham to work with Ms. Ryan and the Utility District on this issue.

BOARD MEMBER DAVIS JOHNSON: Second.

CHAIR PRO TEM MILLER-ANDERSON: Okay.

DISTRICT CLERK ANTHONY: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Go ahead, Ms. Attorney. [Puff air], it's 12 hours now. Ms. Anthony.

UNK: [Inaudible].

DISTRICT CLERK ANTHONY: Board Member Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: Yes.

DISTRICT CLERK ANTHONY: Board Member Pardo?

BOARD MEMBER PARDO: Yes.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

CHAIR PRO TEM MILLER-ANDERSON: Hubbard.

DISTRICT CLERK ANTHONY: Board Member Hubbard?

BOARD MEMBER HUBBARD: Yes.

DISTRICT CLERK ANTHONY: Chair Miller-Anderson?

CHAIR PRO TEM MILLER-ANDERSON: Yes.

DISTRICT CLERK ANTHONY: Unanimous vote.

CHAIR PRO TEM MILLER-ANDERSON: Okay. Now, we're at the end of the Regular Agenda now? Alright. Comments, first of all, do we have any comment cards? No co'... Go ahead. You had some'.., you gotta comment?

MR. B. BEAUDET: Yes, ma'am. Um...

CHAIR PRO TEM MILLER-ANDERSON: Wait. Hold on, hold on.

MAYOR MASTERS: [Inaudible] recognize...

MR. B. BEAUDET: Oh, I'm sorry.

MAYOR MASTERS: ...the Chair before you speak.

UNK: No. comment cards.

MAYOR MASTERS: You need to do that. You've done it.., you've spoken...

CHAIR PRO TEM MILLER-ANDERSON: Okay.

MAYOR MASTERS: ...twice and...

CHAIR PRO TEM MILLER-ANDERSON: It, it's okay, Mayor.

MAYOR MASTERS: ...you didn't recognize the Chair.

CHAIR PRO TEM MILLER-ANDERSON: Mayor.

MAYOR MASTERS: But that's just...

CHAIR PRO TEM MILLER-ANDERSON: It's fine.

MAYOR MASTERS: ...order. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: It's okay.

COMMENTS FROM THE PUBLIC - Non Agenda Item Speakers (Three Minute Limitation)

CHAIR PRO TEM MILLER-ANDERSON: So, we don't have any comments from the public?

DISTRICT CLERK ANTHONY: No public comment cards.

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

CHAIR PRO TEM MILLER-ANDERSON: Okay. So discussion by the executive director of the Utility Special District or the City Manager.

ASST. EXECTUIVE DIRECTOR RHOADS: I have nothing to add tonight. However, Mr. Beaudet would like to add something, however, if it pleases the Board, if you'd like to go first and Mr. Beaudet would.., could go after.

CHAIR PRO TEM MILLER-ANDERSON: No. We're gonna go by what the Agenda says.

ASST. EXECUTVE DIRECTOR RHOADS: Okay.

CHAIR PRO TEM MILLER-ANDERSON: So, I mean, we're not.., 'til after this.

MR. B. BEAUDET: I'm sorry that I misunderstood before. I...

CHAIR PRO TEM MILLER-ANDERSON: No. No problem. Go ahead.

MR. B. BEAUDET: Anyway, I have good news, um, for the Council. First of all, we've had now, over 10 weeks of completely clean and drinkable water throughout the entire City of Riviera Beach.

CHAIR PRO TEM MILLER-ANDERSON: Wonderful.

MR. B. BEAUDET: And, we have tested that water thoroughly, we've kept the Health Department informed of that. Our Staff has worked very, very hard to accomplish this and, um, I'm very proud of them. In fact, we're gonna have a pizza party tomorrow [chuckles] on me. Because I'm so proud of what they've done.

The other thing that I'm proud of is that, and I hope you've had a chance to look at the website that we have, we have a world class transparency website about our water quality that our citizens in Riviera Beach can go to look at and see what their water quality is. We have posted something that I have never seen before, in my entire career, and that is, every week we give them the weekly data that we get on their chlorine residual and on their coliform count. Good or bad but it's been good. They get to go on there and look at their data so that, and I've never seen that before. You know? Usually you'll see it once a year, once every six months, you know, the, with the water quality report that's required. But now, the, the website that we have now, we'.., we've got it operational. Um, every week they get to see the new water quality data and I think that's a tremendous, uh, accomplishment that has been done by our Staff, by the

IT folks, it's been a joint effort. Also, very much supported by Ms. Jones and I'm very, very pleased to tell you that.

BOARD MEMBER HUBBARD: Good.

BOARD MEMBER DAVIS JOHNSON: That's great news. I, I want to know, for those residents that may not necessarily have access to the internet, how are we presenting that information? Can we include it, possibly, in the.., it may not be every day or as up-to-date as this information but could we consider a monthly insert into the water bill that talks about the water quality and providing this very same information?

MR. B. BEAUDET: I, I think we can do that, yes. We are putting a notice in the bill itself...

BOARD MEMBER DAVIS JOHNSON: Mhmm.

MR. B. BEAUDET: ...that this information is available on the web but if people don't have access to the web, um, I can certainly talk with Mr. Rhoads about what it takes to put an insert into the water bill. And I don't think that would be an impossible task.

The other thing is, we have it on Facebook. [Chuckle].

CHAIR PRO TEM MILLER-ANDERSON: That's where I saw it.

MR. B. BEAUDET: And I don't know if you've seen Facebook but if you go to the Riviera Beach Facebook Page, we do have that information on there. And we've had some good and bad comments, uh, on there but, um...

CHAIR PRO TEM MILLER-ANDERSON: [Inaudible].

MR. B. BEAUDET: ...it's there for people to see.

BOARD MEMBER DAVIS JOHNSON: Okay. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: And, and I did see it on Facebook. That's how I learned about it. I learn everything about the City on Facebook.

[Inaudible background comments]

CHAIR PRO TEM MILLER-ANDERSON: Any other comments. Okay.

STATEMENTS BY THE DISTRICT BOARD

CHAIR PRO TEM MILLER-ANDERSON: So now, statements by the District Board. Any comments? Ms. Pardo?

BOARD MEMBER PARDO: No. The only thing I'll say is, you know, I'm happy that Staff finally recognized that there was a problem with that Park Avenue Lift Station. That's it. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: Ms. Davis Johnson?

BOARD MEMBER DAVIS JOHNSON: No comment.

CHAIR PRO TEM MILLER-ANDERSON: Ms. Hubbard?

BOARD MEMBER HUBBARD: No.

CHAIR PRO TEM MILLER-ANDERSON: Mr. Mayor?

MAYOR MASTERS: [Chuckle]. Just a brief announcement. Digressing a little bit. July 14th, which is Thursday, for those of you who are viewing, we're having a Family & Friends Day at the City Hall, at the courtyard, the amphitheater and we have the Motown Magic 9 piece band that will be entertaining and it's free and the public is cordially invited. I wanna thank Councilwoman KaShamba Miller-Anderson and Councilwoman Lynne Hubbard for helping to support this event through their community benefits as well, and the Riviera Beach Housing Authority. Thursday, July 14th, 6:00 p.m. Thank you.

CHAIR PRO TEM MILLER-ANDERSON: I just had one comment. It, it makes no difference now, it's at the end of the day and I probably should've brought it up early this morning. Um, I know when we're in City Hall we have the security there with the metal detectors. Who is swannin' people coming in here all day?

CITY MANAGER JONES: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: Okay.

CITY MANAGER JONES: [Inaudible].

CHAIR PRO TEM MILLER-ANDERSON: I mean, we might wanna think about that when we do that again. I'm not worried about somebody bothering me but I'm just saying, I mean, well, if that's the point, why are we doing it over there?

MAYOR MASTERS: Yeah. We need security...

CHAIR PRO TEM MILLER-ANDERSON: If we're not gonna...

MAYOR MASTERS: ...everywhere.

CHAIR PRO TEM MILLER-ANDERSON: ...do it...

MAYOR MASTERS: Everywhere.

CHAIR PRO TEM MILLER-ANDERSON: ...you know, all the time?

MAYOR MASTERS: Everywhere.

CHAIR PRO TEM MILLER-ANDERSON: Kinda late. I know. It just came across my mind at the end of the meeting, we've been here...

MAYOR MASTERS: [Inaudible]...

CHAIR PRO TEM MILLER-ANDERSON: ...12 hours but we, we made it.

UNK: [Inaudible].

[Chuckles]

CHAIR PRO TEM MILLER-ANDERSON: Did you have something?

DISTRICT ATTORNEY RYAN: I do. I apologize. I meant to actually, um, announce the closed executive session. I need to do it at a public meeting, it doesn't say what type so I didn't do it at the Council meeting, we ran out of time on Wednesday night. So I wanted to go ahead and announce it publicly and this notice will also be.., will also, I'm sorry, will also be noticed by the City Clerk's office and I'm gonna do what's required under the law which is to name the case, all those who will be present and, um, the [stammer] to state the location. So, on July 18th at 5:30 p.m. we will, the City Council of the City of Riviera Beach, will be going into closed executive session to discuss several cases. The first case will be.., and we can discuss them out of order, I'm just naming them as they're listed on the notice. Kathy Robero v. The City of Riviera Beach and that is a arbitration case No. 12-51-829-3. Special counsel will be Jack McLean. And the second case will be Syretha Colbert, et al. v. The City of Riviera Beach and that is Case No. 50-2013-CA-015041. And special counsel on that case will be Glen Torcivia and Jonathan O'Connell. The third case to be discussed will be Fane Lozman Renegade Trust I and Renegade Trust II v. The City of Riviera Beach, Case No. 50-2016-CA-001527. And special counsel on that case will be Richard Jarolem. And the fourth case, and the fourth and final case to be discussed that evening will be Daniel Taylor, Individually and as Trustee of the Joan B. Taylor Trust v. The City of Riviera Beach, Case No. 50-2014-CA-010126. And the closed executive session will be held in the City Council Chambers.

And that's it. Oh, I'm sorry. And in addition to those attorneys present, [inaudible] Counsel , of course myself and Ms. Jones and I think we'll have Mr. Degraffenreidt. I'll, I'm gonna announce it and I'll make sure I add him. I didn't tell him about it but he will certainly be able to attend since he will be here with the cases. And I'll also have the Assistant City Attorney, Lina Busby, at the closed executive session as well.

And that's it.

ADJOURNMENT

CHAIR PRO TEM MILLER-ANDERSON: Okay. Do we have a motion to adjourn?

BOARD MEMBER PARDO: So move.

UNK: Second.

CHAIR PRO TEM MILLER-ANDERSON: Alright

There being no further business, the meeting was duly adjourned at 7:42 p.m.

[End of video/audio]

Public Comments and Other Speakers

ASST. EXECUTIVE DIRECTOR GILES RHOADS .....ASST. EXECUTIVE DIRECTOR RHOADS
PURCHASING DIRECTOR DEAN MEALY.....PURCHASING DIRECTOR MEALY
FINANCE DIRECTOR RANDY SHERMAN.....DISTRICT FINANCE DIRECTOR SHERMAN
BEVIN BEAUTDET.....MR. B. BEAUDET
GARY DEREMER.....MR. G. DEREMER
C SOLUTIONS REP.....C SOLUTIONS REP

APPROVED:

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK

KaSHAMBA L. MILLER-ANDERSON
CHAIR PRO TEM

LYNNE L.HUBBARD
BOARD MEMBER

TONYA DAVIS JOHNSON
BOARD MEMBER

DAWN S. PARDO
BOARD MEMBER

MOTIONED BY: L. HUBBARD

SECONDED BY: K. MILLER-ANDERSON

L. HUBBARD	AYE
K. MILLER-ANDERSON	AYE
T. DAVIS JOHNSON	AYE
D. PARDO	AYE
T. DAVIS	AYE

DATE APPROVED: August 1, 2016