

**SEACOAST UTILITY AUTHORITY
REGULAR MEETING**

February 24, 2010
Seacoast Utility Authority Board Room

MINUTES

CALL TO ORDER: 3:00 PM

PLEDGE OF ALLEGIANCE

ROLL CALL:

PRESENT: Maria V. Davis, Chair
Robert Weisman, Vice Chair
Joseph Lo Bello, President Pro-Tem
Ron Ferris, Member
Jimmy Knight, Member

ALSO PRESENT: Nat Nason, General Counsel
Rim Bishop, Executive Director
Jessica Moore, Authority Clerk

*****THE FOLLOWING ITEMS WERE PLACED ON THE CONSENT AGENDA*****

APPROVAL OF MINUTES FOR MEETING OF JANUARY 27, 2010

Move to approve the minutes for meeting of January 27, 2010

HRWTP INTERIOR COATING OF THE CHEMICAL BUILDING

Move to award contract for the HRWTP Interior Coating of the Chemical Building to Sun Art Painting Corp, the lowest responsive bidder and whose bid will best serve the public interest, in the amount of \$83,900.00, as recommended by staff.

RESOLUTION NO. 1-2010, AUTHORIZING FACSIMILE SIGNATURES ON BANK ACCOUNTS

Move to approve Resolution No. 1-2010, Authorizing Facsimile Signatures on Bank Accounts, as recommended by staff.

MOTION

Board Members Weisman/Lo Bello moved to adopt the Consent Agenda.

The motion carried unanimously.

*******END OF CONSENT AGENDA*******

**HOOD ROAD, LILAC STREET, AND RICHARD ROAD REPUMP FACILITIES
MODIFICATIONS PROJECT**

MOTION

Board Members Weisman/Lo Bello moved to award construction contract for the Hood Road, Lilac Street, and Richard Road Repump Facilities Modifications Project to Reynolds, Inc., the lowest responsive bidder whose bid will best serve the public interest, in the amount of \$13,160,000.00, as recommended by staff.

The motion carried unanimously.

ANNUAL REPORTS

MOTION

Board Members Weisman/Lo Bello moved to receive and file the Executive Director's Annual Report and the Engineers Report on the Condition of the System, as recommended by staff.

The motion carried unanimously.

ADJUSTMENT TO LEGAL FEES

There was no motion to approve amended rates for legal services provided by the firm Nason, Yeager, Gerson, White and Lioce of \$245.00 per hour for Partners, \$175.00 per hour for Associates and \$135.00 per hour for Paralegals effective March 1, 2010.

Vice Chair Bob Weisman asked Attorney Nat Nason for a summary of the existing rates. Mr. Nason stated that the hourly rate for partners is \$195-\$215, depending on experience.

President Pro-Tem Joe Lo Bello stated that he is very happy with Mr. Nason and the legal services his firm provides.

Mr. Weisman stated he is willing to approve a smaller increase but was not prepared to support an increase from \$215 to \$245 per hour.

MOTION

Board Members Weisman/Lo Bello moved to approve amended rates for legal services provided by the firm Nason, Yeager, Gerson, White and Lioce of \$205-\$225 per hour for Partners, \$130-150 per hour for Associates and \$95-\$135 per hour for Paralegals effective March 1, 2010.

Mr. Lo Bello stated that due to the current state of the economy, he is not in favor of an increase at this time. He noted that his position has nothing to do with Mr. Nason's performance, but that it is just a business decision.

Board Member Ron Ferris agreed with Mr. Lo Bello, stating that it is probably not the best time to ask for an hourly increase when the public sector is reducing salaries and benefits. Mr. Ferris asked Executive Director Rim Bishop if Seacoast employees are receiving an annual raise. Mr. Bishop stated that employees receive a raise anywhere from 0.5% - 2.5%, depending on employee performance.

Mr. Weisman stated the increase he is suggesting for Mr. Nason is just below 5% and his reason for doing so is because the last increase in hourly rates for legal services was approved in 2005.

Board Member Jimmy Knight questioned how long the firm has been with Seacoast. Mr. Bishop stated that Mr. Nason has been working with Seacoast since 1999.

Chair Maria Davis suggested that in the future, Mr. Nason should propose any increases in legal fees during preparation and review of the annual budget, not in the middle of the fiscal year. Mr. Bishop confirmed that the budget can withstand any of the proposed legal fee adjustments discussed today. Mr. Ferris agreed with Ms. Davis that legal fees should be decided when the budget is being processed.

	<u>Yes</u>		<u>No</u>
Juno Beach			2%
Lake Park	5%		
Palm Beach County	21%		
Palm Beach Gardens	60%		
North Palm Beach	<u>12%</u>		_____
The motion carried.	98%	to	2%

ANNUAL PERFORMANCE EVALUATION/EXECUTIVE DIRECTOR

Vice Chair Bob Weisman stated Executive Director Rim Bishop does an outstanding job and believes his salary is good compensation for his position. He acknowledged the fact that neither he nor other Palm Beach County employees have received a raise for 2 years. Mr. Weisman affirmed his position is that no increase or lump sum is appropriate for Mr. Bishop at this time.

President Pro-Tem Joe Lo Bello expressed his opinion that Mr. Bishop does an outstanding job, stated that he believes this is different than the legal fee issue discussed earlier, and would be in favor of giving Mr. Bishop an increase.

Member Jimmy Knight echoed both Mr. Weisman and Mr. Lo Bello in that Mr. Bishop does an outstanding job. He has grown to appreciate Mr. Bishop's ability to communicate with the public. He believes a raise is appropriate and would consider giving him a raise beyond what other Seacoast employees receive since he does not receive a longevity bonus. Because of this, Mr. Knight recommends Mr. Bishop receive an increase in salary of 4.8%.

Member Ron Ferris stated that employees receive a 2.5% increase for outstanding work and he would be willing to support that but is not willing to support a longevity increase on top of that.

Chair Maria Davis affirmed that Mr. Bishop manages a good operation and has great interpersonal and customer service skills. She thinks about Mr. Bishop's ability to work with others when she has to deal with her own residents. She believes that if the board was able to give employees a raise, he should have the same raise as well. She would not feel good if Mr. Bishop did not get a raise and would agree with Mr. Ferris that he should receive a 2.5% increase.

Board Members Lo Bello/Ferris moved to approve an increase at a rate of 2.5% to be added on to Executive Director Rim Bishop's base salary.

The motion carried unanimously.

Mr. Bishop thanked the board.

OTHER BUSINESS

COMMENTS FROM BOARD MEMBERS

There were no comments from the board.

ENGINEERING REPORT

Executive Director Rim Bishop stated that the Engineer's Report is included in the board packet along with the Capacity Utilization Report and Finance Reports.

INTERAGENCY FEE WAIVER

Attorney Nat Nason stated that after researching the legal ramifications of Seacoast and its constituent governments waiving each others', his conclusion is that all governmental entities must pay each others' legally adopted fees.

Mr. Ferris stated that it is not the price issue that was the problem; it is more an issue of time. He indicated that suggestion was not made in an attempt for any agency to get anything for free; he would just like to streamline business operations among the Seacoast entities, considering all entities work together extensively.

Mr. Nason stated that he did not intend to imply that the City of Palm Beach Gardens was trying to get something for nothing.

No action will take place regarding interagency fee waivers and business will continue as usual.

SFWMD PERMIT

Attorney Nat Nason stated that he had a meeting with the SFWMD last week. The process is continuing and he believes that the discussion is heading in a generally positive direction. The SFWMD advised Seacoast, for what he believes was the first time, that if Seacoast can devise a plan for the SFWMD to keep the withdrawal impacts equal to the 2006 historical pumpage then they will not look to Seacoast for historic harm. This can be done in several ways, including increasing the level of the C-18 canal. In addition, when the membrane water treatment plant goes on line, Seacoast will be able to blend nano-filtration reject with reclaimed water, making another 3 million gallons of water available for the Mirasol lake system. Finally, there are operational tweaks which could get Seacoast through a couple of years until the nano-filtration plant is operational. Seacoast will need the existing Hood Road wellfield allocation because 20% of its raw water will be lost to the nano-filtration process. Mr. Nason is hopeful that the end conclusion will be something that will work for everyone.

MEMBRANE PROJECT

Mr. Bishop stated that all the elements of the project are moving forward and are generally on schedule.

METER DOWNSIZING PROGRAM

Mr. Bishop stated the initial letter presented to the board has been amended. The original price to downsize the meter was underestimated at \$210; the actual price would be \$450. The difference is that Seacoast is now using radio read meters that are more expensive, along with the cost to replace the meter box and lid.

If the board permits it, the letter will be sent out the first week of March.

Mr. Weisman questioned if \$450 was the price to charge for a new meter installation. Mr. Bishop affirmed that the price is the same.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

ADJOURNMENT

There being no further business to come before the Authority, Chair Maria Davis adjourned the meeting at approximately 3:41 PM.

APPROVAL:

MARIA DAVIS, CHAIR

BOB WEISMAN, VICE CHAIR

JOE LO BELLO, PRESIDENT PRO-TEM

RON FERRIS, MEMBER

JIMMY KNIGHT, MEMBER

ATTEST:

JESSICA MOORE, AUTHORITY CLERK