

**SEACOAST UTILITY AUTHORITY  
REGULAR MEETING**

April 22, 2009  
Seacoast Utility Authority Board Room  
**MINUTES**

**CALL TO ORDER:** 3:00 PM

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

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

**ALSO PRESENT:** Nat Nason, General Counsel  
Rim Bishop, Executive Director  
Mary Ann Stiles, Authority Clerk

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

**APPROVAL OF MINUTES FOR MEETING OF MARCH 25, 2009**

Move to approve the minutes for meeting of March 25, 2009.

**APPROVAL OF INVOICES**

Move to approve invoices as follows: Howard C. Osterman, Inc. in the amount of \$360.00; Nason, Yeager, Gerson, White & Lioce in the amounts of \$11,579.16; \$652.70; \$140.00; \$107.50; \$13.80; and \$1,376.00; and Boyle Engineering Corporation in the amounts of \$5,602.50; \$1,052.60; \$1,750.00; \$5,515.86; \$1,241.07; \$6,640.00; \$3,220.00; and \$705.00; for a total of \$39,956.19.

**DEVELOPER AGREEMENT**

Move to approve execution of a developer agreement for the project known as Villages of Hope, as recommended by staff.

RESOLUTION NO. 2-2009, AUTHORIZING CANTOR FITZGERALD & CO., MULTI-BANK SECURITIES, INC., TD SECURITIES USA, LLC, UBS FINANCIAL SERVICES, INC. AND WACHOVIA CAPITAL MARKETS, LLC TO PROVIDE INVESTMENT BROKER/DEALER SERVICES TO THE AUTHORITY

Consider a motion to approve Resolution No. 2-2009, Authorizing Cantor Fitzgerald & Co., Multi-Bank Securities, Inc., TD Securities USA, LLC, UBS Financial Services, Inc., and Wachovia Capital Markets, LLC to provide investment broker/dealer services to the Authority, as recommended by staff.

**MOTION**

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

**The motion carried unanimously.**

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

AMENDMENT TO DEVELOPER AGREEMENT – ONE PARK PLACE

Vice Chair Maria Davis thanked Executive Director Rim Bishop and staff for working with an extremely difficult developer on this project. She very much appreciated the extra effort staff put into this.

**MOTION**

**Board Members Weisman/Lo Bello moved to approve execution of an Amendment to Developer Agreement for One Park Place, as recommended by staff.**

**The motion carried unanimously.**

HOOD ROAD MEMBRANE WATER TREATMENT PLANT AND DEEP INJECTION WELL SYSTEMS – CONTRACTOR PREQUALIFICATION

Board Member Ron Ferris asked if staff has an opinion of what type of background this Board Member should have for this Committee. Staff did not have any particular background requirements for this Committee Member. Mr. Ferris felt that this Board Member should have a financial background and would be an excellent addition.

**MOTION**

**Board Members Ferris/Weisman moved to appoint Joseph Lo Bello, Board Member, Vince Mollo, Water Department Manager and Rim Bishop, Executive Director as the Request for Contractor Qualifications Review Committee for the Hood Road Membrane Water Treatment Plant and Deep Injection Wells Systems and to authorize publication of Requests for Contractor Qualifications for these two projects, as recommended by staff.**

**The motion carried unanimously.**

**ORDINANCE NO. 1-2009, INVESTMENT POLICY**

Chair Don Noel read by title only.

**MOTION**

**Board Members Weisman/Lo Bello moved for first reading of Ordinance No. 1-2009, Providing for the Enactment of the Authority's Investment Policy, Providing for the Repeal of any Inconsistent Provisions of Prior Investment Policies, as recommended by staff.**

**The motion carried unanimously.**

**PGA WWTP ODOR CONTROL DUCT REPLACEMENT**

Vice Chair Maria Davis asked Attorney Nat Nason if the low bidder signs off on the contract and doesn't acknowledge that he received the addendum, can Seacoast still hold him to liquidated damages? Attorney Nason responded that Seacoast can in fact do so. If the contractor tried to withdraw at this point in time, it would be questionable if he could be held fully accountable to the provisions of the bid documents. Attorney Nason explained that the contractor has acknowledged he is going to be bound by the provisions of the addendum, but he has not done so in writing. Once the contract is signed, it will be fine.

**MOTION**

**Board Members Weisman/Davis moved to approve a motion to award bid for PGA Wastewater Treatment Plant Odor Control Duct Replacement to Interstate Engineering Corporation, the lowest responsive bidder and whose bid will best serve the public interest in the amount of \$77,500.00, as recommended by staff.**

**The motion carried unanimously.**

WASTEWATER TREATMENT CHEMICAL CONTRACT RENEWAL

MOTION

**Board Members Weisman/Davis moved to authorize extension of Wastewater Treatment Plant Chemical Polymer with SNF Polydyne, as recommended by staff.**

**The motion carried unanimously.**

BUDGET CALENDAR

MOTION

**Board Members Davis/Weisman moved to establish a Public Workshop for the 2009/2010 Seacoast Utility Authority budget for 3:00 PM on July 22, 2009, a Public Hearing for 3:00 PM on August 26, 2009, both in the Authority Board Room and to direct Authority Clerk to prepare and publish notices as required.**

OTHER BUSINESS

COMMENTS FROM BOARD MEMBERS

President Pro-Tem Bob Weisman told the Board and staff that he will miss the May Board meeting.

Chair Don Noel wished Authority Clerk Mary Ann Stiles a happy Administrative Professionals Day.

ENGINEERING REPORT

Engineer's Report included in Board package. Bruce Mowry was present for questions. None were asked at this time.

STAFF REPORT

MONTHLY REPORTS

Executive Director Rim Bishop stated that the monthly reports are in the Board package.

SFWMD PROPOSED YEAR ROUND IRRIGATION RULE CHALLENGE

Executive Director Rim Bishop updated the Board that staff understands that SFWMD plans to discuss an amended rule at its May Board meeting, but Authority staff has not seen a draft yet.

SFWMD WATER USE PERMIT RENEWAL

Executive Director Rim Bishop told the Board that the latest information from SFWMD staff is that SFWMD proposes to take both a draft permit and a draft consent agreement to the SFWMD Board in June. Authority staff has not seen either of those draft documents. However, it is

common practice for Authority staff not to see these drafts until approximately one week before the SFWMD Board meeting, which doesn't leave much time to object if the Authority wishes to object.

Board Member Ron Ferris asked whether, in the event the Authority does get last minute notice on changes from the SFWMD, is there any way the Board can have a meeting to address the issues or does staff have enough direction to feel comfortable on what to do. Executive Director Rim Bishop stated that he feels pretty comfortable in his understanding of the Board's intentions, but he will keep the Board updated as to any changes and request feedback. If necessary, he will request an emergency meeting. There was some discussion as to how an emergency meeting could be called. Board Member Ferris feels these two items are extremely important to the Authority and its customers, though it is clear that the Palm Beach Post is not necessarily sympathetic with our customers. Mr. Ferris feels it is very important, and if issues arise that the Board needs to be made aware of, he would have no problem with an emergency meeting to do what needs to be done. There was some discussion as to SFWMD's position, which has not changed since the last update.

Board Member Ron Ferris expressed his opinion that the Authority needs to stand strong and not give concessions. More discussion took place.

#### HOOD ROAD WATER TREATMENT PLANT MEMBRANE CONVERSION PROJECT AND INJECTION WELL

Executive Director Rim Bishop stated that as the Board just authorized, staff will issue a Request for Contractor Qualifications (RFQ). It will be published on Sunday. The RFQs will be opened on May 18<sup>th</sup> and staff will have a recommended list of qualified bidders for the Board at its May 27<sup>th</sup> Board. Mr. Bishop has sent the Board a schedule of all activities related to this project from now until the first of October 2009. So far, the project is on schedule.

#### COMMENTS FROM THE PUBLIC

None

ADJOURNMENT

There being no further business to come before the Authority, Chair Don Noel adjourned the meeting at approximately 3:16 PM.

**APPROVAL:**

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DON NOEL, CHAIR

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MARIA V. DAVIS, VICE CHAIR

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ROBERT WEISMAN, PRESIDENT PRO-TEM

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RON FERRIS, MEMBER

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JOSEPH LO BELLO, MEMBER

**ATTEST:**

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MARY ANN STILES, AUTHORITY CLERK