MINUTES OF THE EMERALD COAST UTILITIES AUTHORITY BOARD MEETING HELD THURSDAY, JANUARY 27, 2011 AT 3:00 P.M. IN THE ECUA BOARD ROOM AT 9250 HAMMAN STREET, ELLYSON INDUSTRIAL PARK, PENSACOLA, FL

Members present:	Elvin McCorvey, Chairman Larry Walker, Vice Chairman Lois Benson Elizabeth S. Campbell Dale Perkins
Counsel present:	Ellen Odom for Bradley S. Odom
Staff present:	Stephen E. Sorrell, Executive Director Nathalie Bowers, Public Information Officer Debra Buckley, Director of Finance Tim Haag, Director of Communications and Intergovernmental Relations Linda Iversen, Executive Assistant to the Board Bill Johnson, Director of Engineering

ITEM 1 - CALL TO ORDER

Chairman McCorvey called the regular meeting of the Emerald Coast Utilities Authority Board to order at approximately 3:00 p.m.

ITEM 2 - INVOCATION AND PLEDGE OF ALLEGIANCE

Dr. Walker provided the invocation and led the Pledge of Allegiance.

ITEM 3 - ADOPTION OF AGENDA

Ms. Campbell added the following topics under new business:

12(a) – New EPA guidelines
12(b) – Sunshine law

Ms. Benson added the topic of "transparency" to the agenda under unfinished business.

A motion was made by Dr. Walker, seconded by Ms. Benson, to adopt the agenda as presented and amended. Motion carried 5-0.

ITEM 4 - COMMUNICATIONS AND PRESENTATIONS

(a) Presentation of Special Recognition Award to Mr. Ross Rembert

Mr. Rembert was not present to receive his award for his past service as a member of the ECUA Citizens' Advisory Committee.

ITEM 5 - APPROVAL OF MINUTES

A motion was made by Ms. Benson, seconded by Ms. Campbell, to approve the minutes of the regular Board meeting of December 16, 2010; the special Board meeting of December 21, 2010; and the special Board meeting of December 28, 2010 as presented. Motion carried 5-0.

ITEM 6 - REPORT OF THE ECUA CITIZENS' ADVISORY COMMITTEE 01/19/11

F. Septic tank inspection regulations – Dr. John Lanza and Mr. Robert Merritt, Escambia County Department of Health

Information only. Ms. Benson informed the Board that the legislation, which was being delayed in implementation, legislation has now been filed to repeal that legislation.

G. Disposal of the Main Street WWTP Property/Proposed Aquarium

Ms. Benson expressed her concerns that if the property was not developed for what the City has planned, the amount of tax revenue that the property would generate for the City would be lost. Ms. Benson also expressed her concerns relative to the information provided to the Committee by Mr. Young relative to the support Mr. Young indicated was in place for the proposed aquarium, stating that she feels Mr. Young misrepresented his support.

Ms. Benson distributed copies of a memorandum dated June 23, 2009 from City Manager Al Coby to the Mayor and City Council relative to the Interlocal Agreement between the City and ECUA. Ms. Benson pointed out that language within the memo indicated that "...if the Wastewater Treatment Plant is not demolished by FY 2013, payment will be suspended and will not resume until the plant is completely demolished". Further, Ms. Benson stated that this is the $15.5 million that the City has committed to this project.

A motion was made by Ms. Benson, seconded by Mr. Perkins, to empower staff to continue moving forward with their remediation work to adopt an appropriate timeline for the bidding process that continues our momentum toward a successful completion of the Main Street sewage treatment plant relocation project and they do so without further delays in consideration of the Pensacola aquarium.

Chairman McCorvey stated, with the Attorney's concurrence, that the Committee recommendation needs to be addressed first.

A motion was made by Dr. Walker that the bid opening be delayed from the February 23 deadline for approximately two months.

In response to a procedural question, Ms. Odom stated that once the motion is presented to the Board for consideration, then the Board can have discussion and any amendments could be made.

Mr. Perkins stated that for parliamentary cleanliness, he was withdrawing his second to Ms. Benson's motion.

Dr. Walker once again made the motion that the bid opening be delayed from the February 23 deadline for approximately two months. The motion was seconded by Ms. Campbell.

Ms. Benson made a substitute motion to empower staff to continue moving forward with their remediation work to adopt an appropriate timeline for the bidding process that continues our momentum toward a successful completion of the Main Street sewage treatment plant relocation project and they do so without further delays in consideration of the Pensacola aquarium. *Motion died for lack of a second.*

Mr. Bill Young, 1812 E. DeSoto Street, addressed the Board offering an apology for the misinformation provided at the Committee meeting. Mr. Young also requested that the Board delay the demolition of the Main Street WWTP.

Mr. Michael Bailey, 4500 Montclair Road, addressed the Board directing his comments to Board member Benson. Chairman McCorvey informed Mr. Bailey that he must direct his comments to the Board as a group and could not single out a Board member or debate an individual member. At that point, Mr. Bailey withdrew his request to speak.

A substitute motion was made by Mr. Perkins that the Main Street property be placed on the market for sale for $15 million pre-demolition, for $20 million post demolition, and proceed full speed ahead with demolition. *Motion died for lack of a second.*

Mr. Sorrell provided a description of what is going to be required prior to actual demolition of the plant, stating there are many, many things that the ECUA staff will have to do before the plant can be torn down. Further, these things, as well as the environmental remediation, will take a number of months.

Ms. Dorothy Dubuisson, 1308 N. Barcelona, addressed the Board regarding the value assessment, cost of delay of demolition, and the environmental remediation.

The vote on the main motion as made by Dr. Walker, seconded by Ms. Campbell, failed 1-4 with Ms. Campbell voting in favor of the motion.

H. Sewer Expansion Program – Proposed Customer Connection Policy

Held in Committee.

I. Impact Fee Policy for High-Demand Customers

A motion was made by Mr. Perkins, seconded by Ms. Benson to table Item I. Motion carried 5-0.

Ms. Odom advised the Board that this will need to be removed from the table in order for action to be taken on it at the next meeting. If that does not occur, then the item will die.

J. Surplus Vehicles and Equipment

A motion was made by Mr. Perkins, seconded by Dr. Walker, to concur in the findings of the Executive Director and authorize disposition of the listed items (revised) by auction or sale to other interested governmental entities as authorized by *ECUA Code*, Section 2-16. Motion carried 5-0.

ITEM 7 - OPERATIONAL ITEMS:

(a) Adoption of Resolution 11-01

A motion was made and seconded to adopt Resolution 11-01 – A RESOLUTION FINDING SPECIFIC VEHICLES TO BE NO LONGER USEFUL, NECESSARY, OR PROFITABLE IN THE OPERATION OF THE UTILITY SYSTEMS OF THE EMERALD COAST UTILITIES AUTHORITY; AUTHORIZING DISPOSITION OF THAT PROPERTY; PROVIDING AN EFFECTIVE DATE. Motion carried 5-0.

(b) Purchase of new tires for ECUA fleet

A motion was made by Ms. Benson, seconded by Dr. Walker, to authorize staff to purchase tires from the list of State-approved local vendors at the current State contract price, through September 30, 2011, with estimated

annual funding of $200,000 coming from the appropriate budget line item of the Sanitation operating budget. Motion carried 5-0.

(c) Award of bid: Lakewood area sewer expansion, Phase 5

A motion was made by Ms. Benson seconded by Ms. Campbell, to award the contract for the Lakewood Sewer Expansion, Phase 5 project to Utility Service Company, the lowest bidder, for the Base Bid amount of $2,880,457.70, with funding via an Interlocal Agreement with Escambia County dated July 8, 2010, under CIP Project CS317X. Motion carried 5-0.

(d) Award of bid: Tapping saddles F/CA-CI-PVC, Ford Yoke Box Grade Adjusters, Water Couplings, Swivel Bends, Gaskets

A motion was made by Dr. Walker, seconded by Mr. Perkins, to approve the one-year contract to supply system maintenance and repair items B through G (with two one-year optional extensions upon mutual agreement of both parties, with no increase in price) with the following companies, as low bidders, at the estimated annual costs which are indicated, with funding from the appropriate budget line item. Motion carried 5-0.

ITEM	COMPANY	ESTIMATED ANNUAL COST	PRIOR CONTRACT	PRIOR CONTRACT
B. Tapping Saddles for SDR26 Class 2000 PVC	HD Supply Waterworks, Pensacola, FL	$7,545.98	$5,335.67	HD Supply Waterworks
C. Yoke Box Grade Adjusters	HD Supply Waterworks, Pensacola, FL	$9,650.00	$8,785.00	HD Supply Waterworks
D. Repair Clamps	Empire Pipe & Supply, Birmingham, AL	$47,432.55	$40,044.31	Ferguson Waterworks
E. Water Couplings	HD Supply Waterworks, Pensacola, FL	$18,045.02	$15,4520.36	HD Supply Waterworks
F. Swivel Bends	HD Supply Waterworks, Pensacola, FL	$21,542.00	$15,422.00	Ferguson Waterworks
G. Gaskets	HD Supply Waterworks, Pensacola, FL	$846.00	$9,043.50	Ferguson Waterworks

(e) Real property purchase – Davis Highway well site upgrade

A motion was made by Mr. Perkins, seconded by Ms. Campbell, to approve the real property purchase from the County for the nominal price of $1, and authorize the Executive Director to execute all documents required to effectuate the transfer. Motion carried 5-0.

ITEM 8 - INFORMATIONAL REPORTS:

None.

ITEM 9 - EXECUTIVE DIRECTOR'S REPORT:

The following report was presented for information only and did not require any action.

(a) Expenditures approved by the Executive Director – Main Street WWTP Replacement project

Mr. Sorrell reported on the inquiries relative to the CWRF and requests for tours of the new CWRF. Mr. Sorrell also reported that sometime during the next month, it is anticipated that decommissioning of the Main Street WWTP will begin and there will be some secondary issues that will have to be dealt with. Further, International Paper and Gulf Power are on-line and everything is working well.

ITEM 10 - ATTORNEY'S REPORT

The attorney did not have anything to report.

ITEM 11 - UNFINISHED BUSINESS

(a) Transparency (Benson)

Ms. Benson commented about the vast amount of information and records that can be found on the City of Pensacola web site and stated that she wants to make sure that the ECUA web site, as redesigned, does everything that the Board needs it to do – make sure the minutes are on the site and archived; and that the entire agenda package is on there. Further, the Board should set the standard for governments in this area for open and accessible government and it starts with a web site that reflects this.

Ms. Benson also commented that expenditures such as the $50,000 to the Chamber of Commerce for economic growth, should be discussed in an

open Board meeting. Further, that in thinking about these things, the Board should ask if it should be done in an open government meeting and if there is any doubt that it be placed on the agenda.

Ms. Benson stated that she requests that Ideaworks, the group doing the web site design, be requested to come to the next CAC meeting in case the Board/Committee has things that Ideaworks has not thought of that should be on the web site.

Staff was directed to place the web site design issue on the next Committee agenda and ask that Ideaworks be present.

ITEM 12 - NEW BUSINESS

(a) New EPA guidelines (Campbell)

Ms. Campbell stated that EPA has recently come out with new guidelines on fluoride that is placed in the drinking water and requested that this topic be taken back to Committee to look at the levels to make sure we are at the current and perhaps lowest level.

A motion was made by Ms. Campbell, seconded by Ms. Benson, that the Board refer back to Committee a review of the level of fluoridation that we currently have in order to assure that we are consistently within the EPA guidelines. Motion carried 4-1 with Chairman McCorvey voting against the motion.

(b) Sunshine law (Campbell)

Ms. Campbell reported that she received an e-mail in which there was a number of e-mails and unfortunately someone included in their response to her a response to them from Ms. Benson. She stated she did not read Ms. Benson's comments and as soon as she saw the header and realized it was from Ms. Benson to this particular constituent. She stated she wanted to make this public knowledge in that it was a possible sunshine law violation.

ITEM 13 - OPEN FORUM

There were not further comments from the audience.

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ITEM 14 - ADJOURNMENT

There being no further business to come before the regular meeting of the Emerald Coast Utilities Authority Board, Chairman McCorvey declared the meeting adjourned at approximately 4:08 p.m.

Respectfully submitted,

Stephen E. Sorrell
Executive Director

APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON _____.

( ) Without corrections/amendments.
( ) With corrections/amendments being: