

**JOINT MEETING: BOARD OF COUNTY COMMISSIONERS AND THE CITY OF BELLE GLADE, CITY OF PAHOKEE, CITY OF SOUTH BAY - LAKE REGION WATER TREATMENT PLANT**

**I. CALL TO ORDER:** June 25, 2003, at 4:27 p.m., in the Bryant Auditorium, Belle Glade, Palm Beach County, Florida.

**I.A. MEMBERS AND OFFICERS PRESENT:**

Chair Karen T. Marcus  
Vice-Chair Tony Masilotti  
Commissioner Burt Aaronson  
Commissioner Addie L. Greene  
Commissioner Jeff Koons  
Commissioner Mary McCarty  
Commissioner Warren H. Newell  
Deputy County Attorney Gordon Selfridge  
County Administrator Robert Weisman  
Deputy Clerk Judith Crosbie

**CITY OF BELLE GLADE:**

Mayor Steve B. Wilson  
Commissioner Sherrie Dulany  
Commissioner Donald D. Garrett  
Commissioner Mary S. Kendall  
Commissioner Gwendolyn Asia-Williams

**CITY OF PAHOKEE:**

Mayor J. P. Sasser  
Commissioner Allie Biggs  
Commissioner Keith Babb  
Commissioner Gary McEntire

**CITY OF SOUTH BAY:**

Mayor Clarence Anthony  
Commissioner Esther Berry  
Commissioner Joe Kyles, Sr.  
Commissioner Shirley Walter-Turner  
Commissioner John Wilson

**I.B. PLEDGE OF ALLEGIANCE**

**II. INTRODUCTIONS**

The dignitaries or their representatives and staff introduced themselves. Dan Lipman read a letter to be forwarded to James T. Walsh, chairman of the Veteran Affairs Housing Urban Development and Independent Agencies Appropriations Subcommittee. He said the letter was co-signed by Congressmen Alcee Hastings, E. Clay Shaw, Mark Foley, and Robert Wexler, to request funding assistance of \$4.1 million in fiscal year 2004 for Lake Okeechobee Regional Water Treatment Plant.

### III. ITEMS FOR DISCUSSION – WATER TREATMENT PLANT

#### A.

##### HISTORY OF THE PROJECT. DISCUSSED 6-25-2003

Commissioner Masilotti gave an overview of the project. The following points were brought out:

- \* Problems began several years with drinking water in the Glades.
- \* The cities tried to maintain the water systems but the costs to retrofit older style plants and operate them at peak performance was cost prohibitive.
- \* For about three years, the Department of Environmental Protection, the Environmental Protection Agency, the Health Department, and other state agencies tried to determine a solution. Although the problem was recognized, only the county and South Florida Water Management had made strong commitment to correcting the water issue by attempting to taking on a regional water plant project.
- \* The county hopes to get state and federal funding.
- \* The issue was not only for economic development in coming years but for the residents to receive quality drinking water.
- \* According to scientific evidence, the water at times contained about 14 times the allowable amount of cancer causing agents.
- \* The county was looking for support from the cities. The county has the opportunity to work with SFWMD and other agencies to bring forward a plant that is acceptable and can carry enough of the services to provide high quality, clean drinking water for all the residents without having adverse impact on the overall Palm Beach County water supply system.

#### B.

##### OVERVIEW AND CURRENT STATUS. DISCUSSED 6-25-2003

Jean Creamer, assistant county administrator, stated that:

- \* The county had proposed a regional plant concept.
- \* The concept was based on shared funding. The cities, through interlocal agreement negotiations, were requesting 50 percent of the capital cost of the plant be subsidized through a combination of ad valorem, state and federal funds.
- \* Without the 50 percent subsidy, the cost of the plant would not work. Because the cities were currently paying debt service and they also had operating costs, the county would have to make its wholesale cost reasonable enough to prevent a negative impact to the cities' water rates.
- \* The cities' water rates presently were among the highest in the county. The subsidy therefore was needed.

### III.B. – CONTINUED

- \* Staff working with the cities had resolved a majority of the technical issues.
- \* The size of the plant had to be determined because the capacity would dictate the capital cost.
- \* Participants needed to be identified. The cities of Belle Glade, Pahokee, and South Bay, were considered to participate. South Shore Water Association and Clewiston had also showed interest but were concerned about the cost of piping the water to their location outside of Palm Beach County.
- \* Belle Glade had about 46 percent of water that was unaccounted for. The county Water Utilities Department needed the board's direction to undertake a leak detection study.

Mayor Anthony asked what the cost impact would be if the three cities opted in, but the others agree to join later.

Ms. Creamer answered that it would be more costly to the others because they would be paying for plant expansion. She said a timeframe would be established for the other entities to respond and capacity would not be built for them in this phase if they did not commit.

Commissioner Koons pointed out that a leak detection study and signed wholesale agreements with the cities were foremost. He said when the cities execute those contracts, the county could determine size and then execute a design contract.

In response to Commissioner Newell, Ms. Creamer said Belle Glade had a 50 percent surcharge to customers outside of the city limits, and Pahokee charged 25 percent. South Bay had no service area outside the city limits.

Commissioner Newell pointed out that utilities were feasible ways to annex properties into the city for incorporation.

Ms. Creamer stated that:

- \* A solution to the missing water problem in Belle Glade could improve the city's revenue.
- \* Staff had been checking some of the meters and six percent of the ones checked had been tampered with and no metering was in effect.

Mayor Wilson said he did not think results of the leak detection study would have an adverse impact on the rates although he supported the study.

Commissioner Masilotti said it would not be feasible for the county to take over the entire systems because the county would absorb about \$35 million of existing debt.

### **III.B. – CONTINUED**

Mayor Anthony asked for consensus to move forward with the regional water plant and for agreements to be signed within nine months. He said the Tri-Cities League would ask the county to look at taking over the entire system because he did not want to delay action on the water quality issues. If the county takes over the entire system, the debt issue would still be outstanding but the county had the ability and right to absorb the entire project.

Commissioner Marcus suggested focus remained on getting suitable water for the residents. She said all parties later could review the possibility of transferring the debt. She pointed out that the present discussion only should focus on wholesale with consideration of funding for the county to do operation and maintenance of the facility. Later in the process, a feasibility study could be done, she concluded.

Mayor Anthony commented that the county should consider building a comprehensive system. County Administrator Weisman assured him that the county would produce high-quality water out of the plant. He said as long as the pipes were in tact, the quality of water delivered to the consumer would be good quality.

Commissioner Newell said the Lake Regional Water Plant was the first issue of its kind and that other cities would observe it as an opportunity to request similar backing.

### **C.**

**SOLUTION OPTIONS. DISCUSSED 6-25-2003**

Jean Creamer, assistant county Administrator divulged that:

- \* After looking at options and reviewing the difference in costs, staff recommended staying with the region plant concept.

**MOTION to authorize county staff to move forward with the missing water study. Motion by Commissioner Masilotti and seconded by Commissioner Aaronson.**

Commissioner Marcus reiterated that the study would begin the next day and that the City of Belle Glade agreed with the decision.

**UPON CALL FOR A VOTE, the motion carried 7-0.**

(CLERK'S NOTE: items III.D., III.E., and III.F., were discussed together.)

### **D.**

**PLANNING AND DESIGN. DISCUSSED 6-25-2003**

### **E.**

**OWNERSHIP. DISCUSSED 6-25-2003**

### III.D, III.E., III.F. – CONTINUED

#### F.

#### OPERATIONS AND MAINTENANCE. DISCUSSED 6-25-2003

Assistant County Administrator Jean Creamer asked the chair to confirm the draft agreement to the cities that the county would build, own, and maintain the regional plant.

Mayor Anthony, Mayor Biggs, and Mayor Wilson said they agreed to the draft agreement. Mayor Anthony, however, requested that current employees retain jobs. Ms. Creamer affirmed that the employees would be offered employment.

Commissioner McCarty inquired about the cost and the source of funding. Mr. Weisman recalled the board conceptually approving an overall financial plan for a combination of grants, ad valorem, utility contributions, and local funds. He said the proposal was for \$10 million ad valorem, payable over four years.

Ms. Creamer added that:

- \* The proposal was based upon the county being able to realize the remainder in state and federal grants. She said Henry Dean, the executive director of the South Florida Water Management District (SFWMD), would recommend to his board, a \$1.3 million a year allotment for a three-year period.
- \* Depending on the number of participants, water supply grants of \$1 million would become available through SFWMD.
- \* Deputy County Administrator Verdenia Baker had been speaking with a representative at the state's economic development office about a potential grant application.
- \* County ad valorem taxes and state and federal grants represented 50 percent of the estimated \$35 million capital cost. The remainder of the capital funding would be from Water Utilities (WU) capital reserves.

Commissioner Newell said that the WU Advisory Board voted against funding because of concern that additional money beyond the \$10 million would be paid by coastal customers.

Ms Creamer said that:

- \* All WU revenues come from customers mostly through fees. Money from WU would be a loan, proposed for 40-50 years, at a low interest rate. Staff did not expect a negative impact on other utility-rate payers.
- \* The plant design and construction would be done over several years allowing staff cycles of legislative forum to appeal for money at the state and federal level.

Commissioner Aaronson commented that the county could not rely on the state and federal governments because of all the cuts in programs. He put his colleagues on notice that they should be prepared to fund \$17.5 million at the most.

### III.D., III.E., III.F. – CONTINUED

Commissioner Masilotti said he believed the county would be able to obtain the money from various sources over the three-year period.

Mayor Sasser said the state and federal legislators should be embarrassed that the county and cities were addressing the issue after their regulations put Lake Okeechobee in its present condition.

**MOTION that the cities and county agree that the county would own, operate, and maintain the regional plant with the dollars maximum as discussed. Motion by Commissioner Koons, seconded by Commissioner Masilotti, and carried 7-0.**

## IV. OTHER ISSUES

### IV.A.

#### OUTREACH TO CLEWISTON. DISCUSSED 6-25-2003

Commissioner Newell inquired if an outreach would be done in Clewiston to help the community. He contended that if the cities obtain the regional system, it would be able to benefit other people in South Florida.

Ms. Creamer said staff had met with Clewiston and South Shore representatives and they too had been sent a proposed agreement. They were doing some assessment of what their capital cost of piping would be in addition to the plant's cost. Staff would do a followup and give a time frame for them to respond.

Staff was directed to:

- \* In the next 60 days, do the missing water study, talk with Clewiston and South Shore officials and work on the interlocal agreements to fine tune details. If all the issues were resolved within the 60 days, the county should be able to enter into the agreement and authorize the design.

Mr. Anthony said his city was unopposed to Clewiston and South Shore joining in because the cost then could be more efficient, causing less of an impact on the citizens.

Commissioner Aaronson wanted to know if the plant would be built with excess capacity to accommodate growth. Ms Creamer said some reserve capacity would be built in. Mr. Weisman reiterated that capacity would be provided with some increase potential.

Vice Mayor Esther Berry asked if the Tri-Cities League could obtain ownership of the facility if the economy and other factors changed. Commissioner Marcus answered that the facility could be obtained by a purchase agreement.

Ms. Berry also inquired how annexation would impact their land-use and master economic plan. Mayor Anthony stated that those issues had been discussed earlier and Gary Dernlan, the director of WU, shared his views.

#### **IV.A. – CONTINUED**

In response to Commissioner Marcus, Ms. Creamer said staff would like the board's direction to provide technical assistance to the cities. She said the county had the ability to do so and that the cost impact would be absorbed by the WU Department.

**MOTION to authorize staff to continue to work with the cities to stay in compliance and to keep the board apprised of all expenditures associated with the project. Motion by Commissioner Masilotti and seconded by Commissioner Koons.**

Commissioner McCarty asked staff to inform the board if there was a proposed increase in the utility rate. She said it may be a component for the board to review.

**Upon call for a vote, the motion carried 7-0**

Commissioner Masilotti was assured by staff that the proposed agreement addressed the county's rights to the service areas. Commissioner Newell urged staff to be certain the proposed agreement prevented future boards from giving service outside of the cities without an annexation agreement.

#### **IV.B.**

RETAIL. DISCUSSED 6-25-2003

Commissioner Koons brought out and the board agreed that the issue of retail would be discussed later in the process.

#### **IV.C.**

ECONOMIC ISSUE. DISCUSSED 6-25-2003

Mayor Anthony asked county staff to focus on hiring local people to construct the facility. He suggested emphasis on local companies with focus on Minority and Woman Business Enterprise in the local region. He asked the board to direct county staff to make all efforts to comply.

The following points were brought out:

- \* The county purchasing ordinance addressed hiring.
- \* Conceptually, the board agreed with Mayor Anthony.
- \* Local hiring was one of the conditions when the jail was built in the area. Workers were not available and the cost was above expectation.
- \* The cities should help by recommending people suitable for the jobs.
- \* Actions in the past had shown the county's willingness to hire local residents, and the board would not ignore the request.
- \* Staff had the direction to do the best possible.

#### **IV.C. - CONTINUED**

- \* All county residents would be paying for the facility. The board was committed to get the best prices while trying to stimulate the economy.
- \* Tri-Cities anticipated having another meeting with the board to discuss economic development.

#### **IV.D. COMMENTS**

##### **1.**

##### **ANNEXATION. DISCUSSED 6-25-2003**

Frank Gargiulo, director of Environmental Health and Engineering at the county health department, said annexation, as discussed earlier in the meeting, needed to be researched from a legal point. He said he did not believe annexation could be made a condition in order to provide water to an unincorporated area.

Commissioner McCarty said the process could be handled through water service agreements.

##### **2.**

##### **OWNERSHIP. DISCUSSED 6-25-2003**

Mr. Gargiulo clarified that until the water was under the ownership and management of the county, the health department would continue to hold the individual cities responsible for repairs and any modifications to be made to existing systems. Letters of corrections would not be directed to anyone else but to the owners.

##### **3.**

##### **TOP-PRIORITY PROJECT. DISCUSSED 6-25-2003**

Dave Aronberg, state senator for District 27, said the regional water issue had been his top priority project but that he ran against the obstacle of the legislators hoping to shift the burden of taxes to the local level. He said copies of Emily Minor's article from the *Palm Beach Post* that he distributed throughout the Capitol, convinced the legislators that the county had an emergency on hand. He said he appreciated the board putting up the initial money to fund the water project and he thanked it for its commitment.

Senator Aronberg said he had been working with Commissioner Masilotti and Senator Ken Pruitt, the head of the Appropriations Committee, on the issue. Senator Pruitt assured him that the regional water project was still a top priority for the state senate, Senator Aronberg said. He was hopeful that the state could work with the South Florida Water Management District in their budget allocations to help the county pay for the project, he continued.

He said he was encouraged to hear the parties discuss the \$30 million debt service because there were enough excuses for the state to get out of paying for the project.

#### **IV.D. – CONTINUED**

**4.**

DELEGATION PRIORITY. DISCUSSED 6-25-2003

State Representative Susan Bucher said the delegation did take the regional water plant project as a priority to the state but that it became part of a budget dispute between the house and the senate. The state faced a tremendous deficit next year so she was pleased that the county and cities put together some creative financing ideas, she stated.

She urged the commission and cities to talk with state leadership and to let them be aware that the project was the state's responsibility.

**5.**

PARTNERSHIP WITH THE COUNTY. DISCUSSED 6-25-2003

City of South Bay Commissioner Shirley Walker-Turner said she was pleased the board and staff came out to address the water issues. She urged the board to continue to work in partnership to assure that the residents have clean, safe drinking water. She also suggested the discussion on fluoride in the water be continued.

The board invited her to the August public hearing on fluoridation.

City of Pahokee Mayor Sasser echoed praises to the county staff as well.

City of Pahokee Commissioner Allie Biggs expressed her thanks to the commission for tackling the water issue. She said having lost a husband to cancer makes one wonder where it started.

**6.**

COUNTY BIDS. DISCUSSED 6-25-2003

City of Belle Glade Mayor Steve B. Wilson inquired if the Tri-Cities League would be given the opportunity to review the bids before the county makes the decisions.

County Administrator Robert Weisman stated that the county had in place a purchasing ordinance, a local preference ordinance, and a small-business preference ordinance. Under those ordinances, percentages were allocated for local business and small business participation. When a firm achieved a certain percentage, a contract was awarded.

**7.**

COUNTY AND LOCAL OFFICIALS FULFILLING NEED. DISCUSSED 6-25-2003

City of Belle Glade Commissioner Mary Kendall said if the county and Tri-Cities work cooperatively, citizens would see that local and county officials could come together to fulfill a pressing need. She said she was pleased to be a part of the discussions.

#### **IV.D. – CONTINUED**

**8.**

SUPPORT FROM FEDERAL LEVEL. DISCUSSED 6-25-2003

Michelle McGovern of Senator Bill Nelson's office said the senator had been supportive of the project from the federal level.

Commissioner Marcus said the board appreciated Senator Nelson's help along with the other congressmen who were represented. She commented that the county would be bringing the project through the process in the coming years.

**9.**

COMPREHENSIVE EVERGLADES RESTORATION PROJECT ACTIVITIES. DISCUSSED 6-25-2003

Cynthia Larrimore, director of Active Citizen Together Improving Our Neighborhoods (ACTION), stated that her organization wanted to be certain concerns were considered as the development and funding of the regional water facility was discussed. She stated that the concerns were that no comprehensive Everglades restoration project activities were included for Lake Okeechobee and the Florida Aquifer, and citizens need to better understand what the improvements would mean to them economically. She did not see the current debt service included in the document, she continued.

Commissioner McCarty explained that the idea was not to have a change to the consumers' bills but to have them pay the same amount.

**10.**

CERTIFICATION. DISCUSSED 6-23-2003

Cynthia Larrimore said it would be helpful if the community understood what the level of certification would be for employment at the new facility. It would be useful to long-term economic development as people could become trained and employed.

Commissioner Marcus echoed Vice-Mayor Berry's suggestion to provide training through the community college.

**11.**

FLUORIDATION. DISCUSSED 6-25-2003

Commissioner Masilotti asked for the Tri-cities League's consensus to keep fluoridated water when the new plant was completed.

The elected officials all agreed to continue with fluoridation.

**IV.D. – CONTINUED**

**12.**

REPRESENTATIVE TO THE WATER UTILITIES ADVISORY BOARD.  
DISCUSSED 6-15-2003

**MOTION to consider appoint of a representative from the Tri-Cities to the Water Utilities Advisory Board after the interlocal agreements are adopted and signed. Motion by Commissioner Masilotti, seconded by Commissioner Koons, and carried 7-0.**

**13.**

APPRECIATION. DISCUSSED 6-25-2003

Commissioner Masilotti thanked the delegation, including Senator Pruitt, for the work they did in Tallahassee trying to gain funding. He also thanked his commission colleagues for their support and participation.

Mayor Anthony said the theme of the meeting was cooperation and support. He said responsible commitment and pressure should be put on the state and federal government to help with the regional water plant issue. He challenged those officials to help.

Mayor Anthony praised staff and thanked the commission, especially Commissioner Masilotti for his leadership.

**V. ADJOURNMENT**

**The meeting was adjourned at 6:10 p.m.**

ATTESTED:

APPROVED

Clerk:

Chair: