

MINUTES OF THE EMERALD COAST UTILITIES AUTHORITY BOARD MEETING
TUESDAY, OCTOBER 27, 2020, 3:00 P.M.
ECUA BOARD ROOM
9255 STURDEVANT STREET, ELLYSON INDUSTRIAL PARK
PENSACOLA, FLORIDA

Members present: Lois Benson, Chairman
Dale Perkins, Vice Chairman
Vicki Campbell
Larry Walker
Cedric Alexander

Members absent:

Counsel present: Robert Beasley

Staff present: J. Bruce Woody, Executive Director

ITEM 1 – CALL TO ORDER

Chairman Benson 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. Alexander provided the invocation and led the Pledge of Allegiance.

ITEM 3 - ADOPTION OF AGENDA

Ms. Campbell requested that the Board discuss Item 8(H) Adoption of General Resolution No. GR20-46 separately from all other items on the Report of the Citizens' Advisory Committee of October 20, 2020.

Chairman Benson elected to have Item 9(f) Adoption of General Resolution No. GR20-60 moved up to follow the Approval of Minutes.

A motion was made by Ms. Campbell, seconded by Dr. Alexander, to adopt the agenda as presented and amended.

Motion carried 5-0.

ITEM 4 – PUBLIC HEARINGS

There were no public hearings.

ITEM 5 – OPEN FORUM

There were no requests to address the Board.

ITEM 6 – PRESENTATIONS

(a) National Association of Clean Water Agencies (NACWA) Awards

Mr. Woody recognized that all three ECUA treatment plants won the NACWA Peak Performance Award. The Pensacola Beach Water Reclamation Facility and Bayou Marcus Water Reclamation Facility both won a gold award and the Central Water Reclamation Facility won a silver award.

(b) Recycle Star – Random Selection of Monthly Winner

Dr. Walker selected number sixteen, Kevin and Kathy Spellman, for the Recycle Star Award.

ITEM 7 – APPROVAL OF MINUTES

A motion was made by Ms. Campbell, seconded by Mr. Perkins, to approve the minutes of the Regular Board meeting of September 22, 2020, as presented.

Motion carried 5-0.

Chairman Benson opened discussion for Item 9(f) General Resolution No. GR20-60.

9(f) Adoption of General Resolution No. GR20-60

A GENERAL RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING AGREEMENT WITH METZ, HUSBAND & DAUGHTON, P.A., FOR GOVERNMENTAL, LEGISLATIVE AND REGULATORY SERVICES FOR FY21 IN THE AMOUNT OF \$38,000 AND THE EXECUTION OF ADDENDUM NUMBER 1 FOR FEBRUARY-SEPTEMBER 2020 SERVICES FOR \$22,162.

Comments:

Mr. Jim Daughton, with Metz, Husband & Daughton, P.A., provided a legislative presentation to the Board.

Motion and Vote:

Motion was made by Ms. Campbell, seconded by Mr. Perkins, to approve Item 9(f) General Resolution No. GR20-60.

Motion carried 5-0.

ITEM 8 – REPORT OF THE CITIZENS’ ADVISORY COMMITTEE OF October 20, 2020

Recommendations:

F. Adoption of General Resolution No. GR20-36

A GENERAL RESOLUTION AUTHORIZING THE ACCEPTANCE OF BID AND AWARDDING CONTRACT; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE CONTRACTS WITH MULTIPLE VENDORS FOR REPLACEMENT VEHICLES; AND PROVIDING AN EFFECTIVE DATE.

G. Adoption of General Resolution No. GR20-40

A GENERAL RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO REACH AND SIGN A GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR DESIGN AND CONSTRUCTION OF A RECLAIMED WATER SYSTEM ON PENSACOLA BEACH AND PROVIDING AN EFFECTIVE DATE.

H. Adoption of General Resolution No. GR20-46

A GENERAL RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT WITH HOWELL’S TRUCK AND GIANT TIRE SERVICE, INC., FOR RETREADING OF TIRES AND PROVIDING AN EFFECTIVE DATE FOR THE CONTRACT.

I. Adoption of General Resolution No. GR20-47

A GENERAL RESOLUTION AUTHORIZING THE RETAINED EASEMENTS ALONG INTERSTATE 10 (STATE ROUTE 8) BETWEEN U.S. HIGHWAY 29 (STATE ROUTE 95) AND INTERSTATE 110 (STATE ROUTE 8A) TO BE NO LONGER USEFUL, NECESSARY, OR PROFITABLE IN THE OPERATION OF THE UTILITY SYSTEMS OF THE EMERALD COAST UTILITIES AUTHORITY; APPROVING AND CONCURRING IN THE FINDINGS OF THE EXECUTIVE DIRECTOR; DECLARING THE EASEMENT TO BE SUBORDINATED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT); AND PROVIDING AN EFFECTIVE DATE.

J. Adoption of General Resolution No. GR20-48

A GENERAL RESOLUTION AUTHORIZING THE EXTENSION OF THE MAINTENANCE CONTRACT WITH CENTRAL SQUARE FOR SUNGARD SOFTWARE SUPPORT THROUGH DECEMBER 2021.

K. Adoption of General Resolution No. GR20-49

A GENERAL RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN AN ENGINEERING SERVICES PROPOSAL FROM HDR ENGINEERING, INC., (HDR) FOR DESIGN OF A GRANULAR ACTIVATED CARBON (GAC) TREATMENT SYSTEM TO TREAT THE WATER FROM THE MULDOON AND AVONDALE WELL SITES; AUTHORIZING THE USE OF FUNDS FROM CIP PROJECT RW001N - GAC FILTER VESSEL MAINTENANCE.

L. Adoption of General Resolution No. GR20-50

A GENERAL RESOLUTION AUTHORIZING THE ACCEPTANCE OF BID AND AWARDDING A CONTRACT; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH BROWN CONSTRUCTION OF NORTHWEST FLORIDA, INC., (BROWN) FOR \$1,106,821.29 TO CONSTRUCT THE MOBILE HIGHWAY AND PERDIDO KEY TANK DISCHARGE BOOSTER PUMPS; AUTHORIZING THE USE OF FUNDS FROM SEVERAL BUDGETS.

M. Adoption of General Resolution No. GR20-51

A GENERAL RESOLUTION AUTHORIZING THE ACCEPTANCE OF BID AND AWARDING OF A CONTRACT; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH CLEARCREEK COATINGS, LTD OF NEW CARLISLE, OHIO (CLEARCREEK) FOR \$825,150 TO PERFORM TANK MAINTENANCE AT SEVERAL SITES; AUTHORIZING THE USE OF FUNDS FROM RW817 - ELEVATED TANK MAINTENANCE.

N. Adoption of General Resolution No. GR20-52

A GENERAL RESOLUTION AUTHORIZING THE PURCHASE OF AN AUTOCAR CHASSIS WITH 40-CUBIC-YARD MCNEILIUS ATLANTIC FRONT LOADER BODY FOR THE COMMERCIAL DIVISION OF THE SANITATION DEPARTMENT.

O. Adoption of General Resolution No. GR20-53

A GENERAL RESOLUTION AUTHORIZING THE EMERALD COAST UTILITIES AUTHORITY AND WASTE MANAGEMENT OF FLORIDA TO ENTER INTO AN AGREEMENT FOR THE PROCESSING OF RECYCLABLES AT THE EMERALD COAST UTILITIES AUTHORITY MATERIALS RECYCLING FACILITY AND PROVIDING AN EFFECTIVE DATE FOR THE AGREEMENT.

P. Adoption of General Resolution No. GR20-54

A GENERAL RESOLUTION AUTHORIZING THE EMERALD COAST UTILITIES AUTHORITY AND WASTE PRO OF MISSISSIPPI TO ENTER INTO AN AGREEMENT FOR THE PROCESSING OF RECYCLABLES AT THE EMERALD COAST UTILITIES AUTHORITY MATERIALS RECYCLING FACILITY AND PROVIDING AN EFFECTIVE DATE FOR THE AGREEMENT.

Comments:

Ms. Campbell requested that the Board discuss Item 8(H) Adoption of General Resolution No. GR20-46, separately from all other items and move Items F, G, and Items I through P under a consent agenda.

Motion and Vote:

Motion was made by Ms. Campbell, seconded by Mr. Perkins, to adopt the Resolutions for Item F, G, and Items I through P under a consent agenda.

Motion carried 5-0.

Comments:

Ms. Campbell opened discussion for Item 8(H) General Resolution No. GR20-46.

Ms. Campbell stated that the General Resolution on the agenda read as follows:
A GENERAL RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT WITH HOWELL'S TRUCK AND GIANT TIRE SERVICE, INC., FOR RETREADING OF TIRES AND PROVIDING AN EFFECTIVE DATE FOR THE CONTRACT.

Ms. Campbell added that there was a scrivener's error and the General Resolution on the agenda should read as follows:

A GENERAL RESOLUTION TO THE GRINDER PUMP REIMBURSEMENT PROGRAM RELATIVE TO INNERARITY ISLAND SEWER SYSTEM CUSTOMERS; AUTHORIZING THE EXECUTIVE DIRECTOR TO DISTRIBUTE FUNDS PER THE BOARD'S DECISION; AND

AUTHORIZING THE USE OF FUNDS FROM THE BUDGET ESTABLISHED FOR CIP PROJECT CS318 — NON GRAVITY SEWER CONNECTIONS.

The Board discussed the pros and cons of the proposed Grinder Pump Reimbursement Program and then directed Mr. Beasley to research potential options that would serve to ease the financial burden on the residents of Innerarity Island.

Mr. Beasley stated that we evaluated the progress of the Innerarity project for the County, as the Commissioners had requested a status update on the costs and timeline. There was some misinformation suggesting ECUA was requiring equipment upgrades, which would have caused an increase in price, and we needed to correct that misunderstanding. During that investigation and preparation of those materials, and in addition to the cost of the grinder pump, field personnel experienced a general lack of response from the individual homeowners when it came to choosing a location for the grinder pump. This proved to be a significant obstacle in the project's timely progression.

Ms. Campbell asked Mr. Beasley if the ECUA is part of any litigation on this matter. Mr. Beasley explained that currently we are in litigation as the defendant in an action filed by Escambia County. Mr. Beasley further added that an Executive Session report is planned later today to discuss that litigation and to update the Board on this issue. In advance of this conversation, which would also need to be addressed in Executive Session, is that these are two separate issues. The issue with the homeowners and the grinder pump connectivity, the struggles with logistics of connectivity and the cost of connectivity are not issues associated with the existing Escambia County lawsuit.

Motion and Vote:

Motion was made by Ms. Campbell, seconded by Dr. Alexander, to refer this item to staff to provide more information about this project including the hard costs, a breakdown of sewer customers, any precedence involved, and overall cost to the ECUA. Motion included having a representative from the Homeowner's Association (HOA) present at the December Board meeting.

Motion carried 5-0.

ITEM 9 – CONSENT AGENDA

- (a) **Adoption of General Resolution No. GR20-55**
A GENERAL RESOLUTION AUTHORIZING THE PURCHASE OF NEW VALVE INSERTION EQUIPMENT FROM CONSOLIDATED PIPE SUPPLY CO., INC., IN THE AMOUNT OF \$67,105.68 FOR THE REGIONAL SERVICES DEPARTMENT.

- (b) **Adoption of General Resolution No. GR20-56**
A GENERAL RESOLUTION AUTHORIZING THE EXTENSION OF THE ANNUAL UNIT PRICE CONTRACT WITH BLD SERVICES, LLC., FOR SEWER LATERAL LINING AND EXCAVATED REPAIRS AND PROVIDING AN EFFECTIVE DATE.

- (c) Adoption of General Resolution No. GR20-57**
A GENERAL RESOLUTION AUTHORIZING THE PURCHASE OF A NEW MINI-EXCAVATOR AND A NEW SKID STEER LOADER FROM COASTAL MACHINERY COMPANY IN THE AMOUNT OF \$119,716.72, FOR THE REGIONAL SERVICES DEPARTMENT.
- (d) Adoption of General Resolution No. GR20-58**
A GENERAL RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THE HIGHEST BIDDER FOR THE TRANSFER OF SURPLUS EMERALD COAST UTILITIES AUTHORITY REAL PROPERTY LOCATED ON SANCHEZ LANE THAT HAS BEEN DECLARED NO LONGER NECESSARY, USEFUL, OR PROFITABLE IN THE OPERATION OF THE UTILITY SYSTEMS OF THE ECUA.
- (e) Adoption of General Resolution No. GR20-59**
A GENERAL RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH MCKIM & CREED, INC., IN THE AMOUNT OF \$116,110 TO PERFORM THE NECESSARY FIELD SURVEY, DATA COLLECTION, AND ENGINEERING WORK TASKS FOR THE REPLACEMENT OF TRANSITE WATER MAINS IN THE SCENIC HILLS COUNTRY CLUB AREA; AUTHORIZING THE TRANSFER OF PROJECT FUNDS; AND PROVIDING AN EFFECTIVE DATE.
- (f) Adoption of General Resolution No. GR20-60**
A GENERAL RESOLUTION AUTHORIZING THE EXECUTION OF A CONSULTING AGREEMENT WITH METZ, HUSBAND & DAUGHTON, P.A., FOR GOVERNMENTAL, LEGISLATIVE AND REGULATORY SERVICES FOR FY21 IN THE AMOUNT OF \$38,000 AND THE EXECUTION OF ADDENDUM NUMBER 1 FOR FEBRUARY-SEPTEMBER 2020 SERVICES FOR \$22,162.
- (g) Adoption of General Resolution No. GR20-61**
A GENERAL RESOLUTION AUTHORIZING ADDITIONAL ENGINEERING SERVICES BY BASKERVILLE-DONOVAN, INC., FOR DESIGN MODIFICATIONS RELATED TO CIP PROJECT RS121S - REPLACEMENT OF CHARBAR LIFT STATION (NO. 107).
- (h) Adoption of General Resolution No. GR20-62**
A GENERAL RESOLUTION AUTHORIZING THE PAYMENT OF THE SYNERGYNDS, INC., INSURANCE DEDUCTIBLE INVOICE IN THE AMOUNT OF \$215,095 FOR THE MATERIALS RECYCLING FACILITY HURRICANE SALLY CLAIM NO. GC2020098592 FILED WITH FLORIDA MUNICIPAL INSURANCE TRUST.
- (i) Adoption of General Resolution No. GR20-63**
A SPECIAL RESOLUTION AUTHORIZING THE ADJUSTMENT OF CHARGES FOR WATER AND WASTEWATER SERVICE IN CASE OF BREAKS IN WATER LINES THAT OCCUR AS A RESULT OF A NAMED HURRICANE; AMENDING ECUA CODE SECTION 2-21; AND PROVIDING AN EFFECTIVE DATE.

Comments:

Mr. Woody explained that the following closing comment under Section One for General Resolution No. GR20-63 was included previously when prepared to include in the budget:

Customers will be granted a credit adjustment for water loss under the specific storm's adjustment code name. This will allow ECUA to track the number of adjustments and total dollar amount in order to apply for a reimbursement through the Federal Emergency Management Agency (FEMA) if applicable.

Mr. Woody stated that staff has since found out that this is not applicable

Motion and Vote:

Motion made by Mr. Perkins, seconded by Ms. Campbell, that the Board approve Items 9(a) through 9(e), Items 9(g) and 9(h), and Item 9(i) amending the closing comment under Section One.

Motion carried 5-0.

ITEM 10 – BUDGET REPORT

(a) Monthly Budget to Actual Report as of September 30, 2020

Comments:

Ms. Patty Sheldon, Director of Finance, explained that the Monthly Budget to Actual Report is as of September 30, 2020. Ms. Sheldon added that she is still in the process of making adjustments and accruals; however, this report reflects the majority of expenses. At the November Board meeting, Ms. Sheldon will present the year-end budget.

ITEM 11 – EXECUTIVE DIRECTOR'S REPORT

(a) Notification of Emergency Award of Contract – Mold Remediation

Mr. Woody stated that in mid-August 2020, staff became aware of an air quality problem in the System Operation and Maintenance Building. Several years ago the contractor who completed modifications to the building did not seal holes in the concrete block around the electrical outlets. This allowed moist air to enter this space, which resulted in the growth of mold. The issue was addressed to ensure the health and safety of our staff. Mr. Woody explained that he authorized staff to proceed with the remediation work. Mr. Woody informed the Board that this is an official notification.

**(b) Notification of General Resolution No. 20-45
Mobile Highway 12-inch Water Main Utility Relocation
CIP Project CR0017**

Mr. Woody stated that General Resolution No. GR20-45 was approved by the Board at its September meeting. This approval was for the project on Mobile Highway for replacement of a 12-inch water main near the intersection of Beulah Road. Recent consecutive water main breaks on this section have demonstrated the need to expedite this project. Staff developed the subject contract and went through the 21-day bid process in order to receive the most competitive bid. To receive pre-approval for award, the Board was in favor as long as it did not exceed \$500,000. This notification advises that the ECUA received three bids, the lowest being \$334,824.46. The contractor,

Pensacola Concrete Construction Company, Inc., (PCC), received a notice to proceed on October 21, 2020, and is on site now.

(c) Diversity at the ECUA – Hand-out

Mr. Woody delivered a detailed explanation to the Board on diversity at the ECUA.

ITEM 12 - ATTORNEY'S REPORT

(a) Executive Session

Mr. Beasley requested that the Board convene to Executive Session. Mr. Beasley stated that the subject matter of the Executive Session will be fourfold. First, a discussion of the Ryles Grassing, LLC., litigation and settlement agreement (handout provided to all Board members). Second, an update on the Innerarity Island litigation filed by the County. Third, a status report on the Thomas Home Corporation mediation. Fourth, an evaluation of the claim potential against Skanska for the impact on the commercial sanitation expenses.

A court reporter will be present at the Executive Session. The members of the Executive Session include all members of the Board, Mr. Beasley, and Mr. Woody. Mr. Beasley requested that the Board adjourn at the leisure of the Chairman into an Executive Session.

Chairman Benson adjourned the regular Board meeting at approximately 4:36 p.m.

Chairman Benson, following adjournment of the Executive Session meeting, reconvened the regular Board meeting at approximately 5:21 p.m.

Motion and Vote:

Motion made by Ms. Campbell, seconded by Dr. Walker, that the Board approve and authorize Mr. Woody to sign the settlement agreement with Ryles Grassing, LLC.

Motion carried 5-0.

ITEM 13 – UNFINISHED BUSINESS

None.

ITEM 14 – NEW BUSINESS

None.

ITEM 15 – BOARD COMMUNICATIONS

Ms. Campbell stated that after Hurricane Sally, her family discovered leaks in their home’s pool liner and recommended that homeowners with pools have their liners inspected for possible leaks.

ITEM 16 – OPEN FORUM

None.

ITEM 17 – ADJOURNMENT

There being no further business to come before the Board, Chairman Benson adjourned the meeting at approximately 5:24 p.m.

Respectfully submitted,

J. Bruce Woody, P.E.
Executive Director

APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON _____

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