

**VERO BEACH UTILITIES COMMISSION MINUTES  
TUESDAY, FEBRUARY 6, 2024 - 9:30 A.M.  
CITY HALL, COUNCIL CHAMBERS, VERO BEACH, FLORIDA**

**PRESENT:** Chairman, Jane Burton; Vice Chairman, James Maxwell; Members: Bill Eggers, Jad Shalhoub, Vincent Burke, Indian River Shores Representative, Bob Auwaerter, Alternate Member, Mark Mucher and Alternate Member, Peter Dold **Also Present:** Deputy City Clerk, Sherri Philo

**1. CALL TO ORDER**

The Chairman called today's meeting to order at 9:30 a.m. and the Deputy City Clerk performed the roll call.

Mrs. Burton welcomed Mr. Shalhoub to the Commission and asked that he tell them a little bit about himself.

Mr. Shalhoub said that he was appointed to the Commission by Councilmember Taylor Dingle. He said that he was very interested in talking about the matters before the Commission and looks forward to the discussions on the Waste Water Treatment Plant (WWTP)/Water Reclamation Facility (WRF).

**2. APPROVAL OF MINUTES**

**A) December 5, 2023**

**Mr. Auwaerter made a motion to approve the minutes of the December 5, 2023 Utilities Commission meeting. Mr. Eggers seconded the motion.**

Mr. Burke referred to the fourth paragraph on page five (5) of the December 5, 2023 Utilities Commission minutes. He noted that the word "stats" should be "states."

**The motion passed unanimously.**

**3. NEW BUSINESS**

**A) Mr. Lance Lunceford, President of the Taxpayer's Association, to Speak on the City's Development and Taxpayer Welfare**

Mr. Lance Lunceford, President of the Taxpayer's Association, said that while their Association typically deals directly with elected officials, he thinks that the Utilities Commission plays a vital part in not only the City's work, but also the County. He said the main purpose of him attending today's meeting was to establish a relationship between the Taxpayer's Association and the Commission. He encouraged the Commission to focus on the transmission to the new WWTP/WRF. It was his understanding that at the beginning the cost was about \$30 million and it now has ballooned to about \$75 million. He urged the Commission to take any and all possible action to keep that cost as low as possible for the taxpayers of the City and of the County. He then referred to the mandate that the State has to convert septic to sewer. He said that the City has been very diligent in planning ahead, but any way that this Commission could make the appropriate decisions to make the process more efficient on the expenditure and getting it done efficiently would be a

benefit to the residents, as well as the Taxpayer's Association. He looks forward to establishing a great working relationship with the Commission.

Mr. Auwaerter noted that the latest figures for the new WWTP was \$132 million.

Mr. Dold said two (2) years ago the cost of constructing drain fields for a WWTP in Florida ran at about \$16 a gallon and the WWTP that was being designed was for five (5) million gallons. He said over time the costs have escalated so you can almost expect the price to go up.

Mr. Lunceford said that he did not expect this Commission or anyone to feel responsible for the increase. He was not blaming the Commission or the City for the cost increases. He said if the figure is as high as \$132 million, they need to be more diligent to plan ahead. Any action they could undertake was more critical due to the fact of the cost increase. That is the position of the Association.

Mr. Shalhoub asked Mr. Lunceford if he had any recommendations as to how the costs could be reduced from the taxpayer's perspective.

Mr. Lunceford said the transition from septic to sewer is an issue that everyone is dealing with, so any effort to collaborate with the other municipalities and with the County should be taken. He said that many of those individuals in government are members of the Association so if there is any way they could help in the process of making the collaborations happen they would be more than happy to help.

Mr. Mucher said the Mayor was a member of the Utilities Commission and over the past five (5) years he has asked when the project would be completed and every year he is told five (5) more years. He said during that period of time the costs has ballooned tremendously. He said anything they could do to push for the lack of delays they should do it.

Mrs. Burton opened and closed public comments at 9:40 a.m.

**B) Discussion of Fertilizer Ordinance – Mr. Matt Mitts, Public Works Director**

Mrs. Burton reported that Mr. Matt Mitts, Public Works Director, was unable to attend today's meeting. She hoped that they would hear this item at their next meeting.

Mrs. Burton reported that Mr. Rob Bolton, Water and Sewer Director, was also unable to attend today's meeting, however he did email her with an update on the stormwater intake, pump station and the Water Reclamation Facility (WRF/WWTP). She then read the email into the record (attached to the original minutes).

Mr. Auwaerter asked that the Commission members receives a copy of the report.

Mrs. Burton gave the Deputy City Clerk the email and explained that she just received it last night and did not have a chance to get it to the City Clerk's office for distribution.

**4. OLD BUSINESS**

None

## 5. PUBLIC COMMENT

\*Please note that this item was heard after item 7) Member's Matters on today's agenda.

Mr. J.T. Mooney said that he specifically remembered that about a year ago when he served on the Commission they were told that the City would be ready to float the bond in 2023. He said building these Plants were costly and it seemed like the longer they go they would have to have a large carrying cost.

Mrs. Burton hoped they would get an update on the construction of the WWTP at their next meeting.

Mr. Keith Drewett, Vice President of the Clean Water Coalition (CWC), reported that there were two (2) projects they have been working on. One (1) was the stormwater ditch restoration that is next to the Fire Department. He said this project was a privately funded effort between the CWC, some of the Rotary Clubs, and other clubs and it has been completed. The vegetation was doing well and the wildlife was fairly abundant so he felt this project was a success. The other project was the septic to sewer conversion for what the United Way calls the ALICE population, which is the Asset Limited Income Constrained Employed. He said they launched the program with support from the Indian River Land Trust, the Community Foundation, private donors, etc., and they raised \$220,000. They had great support from the City with incentive programs. They are currently doing their fourth STEP System installation this week, their fifth installation next week, they have five (5) more installations lined up and they have funding for about 20 more installations. He said the ALICE population was going to need help.

The Chairman closed public comments at 10:06 a.m.

Mr. Burke reiterated what Mr. Auwaerter was talking about regarding cyber security. He said Atlanta has been hit twice and he thought there were a couple of utilities in Florida that were hit. He said this is something that all utilities should take seriously. He read in part from a report to the House Select Committee from the Federal Bureau of Investigation (FBI) Director, which stated that "*Chinese hackers were positioning themselves on American infrastructure in preparation to wreak havoc and cause real world harm to American citizens and communities if and when they decide to strike.*" He said that the City Council should take very seriously some of the warnings from Mr. Auwaerter and/or other utilities that were subjected to some of these things with regards to identifying a gap analysis to see where the City is currently, where they need to be and then chart out a plan. He recommended that there be a more robust analysis done as to where the City's infrastructure is today and safeguarding their assets. He said a gap analysis could be done very easily.

Mrs. Burton said that she spoke to Mr. Bolton yesterday about this cyber issue and he assured her that the City was working on this in-house. She noted that this was not a subject that they could publically address what they were doing. She said that Mr. Bolton assured her that this is a top priority and there is movement to make sure that they are cyber safe.

Mr. Dold said since this has happened the Federal Reserve System have set up a system organization utility to help small municipalities handle data and to be protected. He was sure that the City was aware of this.

Mr. Burke said that he would be interested to know if the City was going to comply with the National Institute of Standards and Technology (NIST). He said that the Department of Defense was very aware of certain requirements that clearly specifies what needs to be done. He was glad to know that Mr. Bolton was taking this seriously.

Mr. Eggers said the City has to buy cyber insurance, which requires certain things to happen. He said it would be interesting to hear from Mr. Bolton or whoever was putting this plan together at possibly a closed door meeting so they could be more specific.

Mr. Auwaerter noted that the Utilities Commission could not hold closed door meetings according to State law. Only the City Council is permitted to hold closed door meetings.

Mrs. Burton said this is something that they are not to discuss. She said the City Council is very aware of this issue and it is being addressed.

Mr. Shalhoub said working in the health care industry he knows that these upgrades come with significant costs. Today he listened to the presentation by the President of Taxpayer's Association, the cost of inflation, the cost of construction, and cyber security. He said that he met with Mr. Bolton and believes in his capabilities. His question was regarding the purpose of this Commission and his role should they be robust in their contributions to ensure that these matters were executed in a way that was efficient, timely, and affords the taxpayer a limited burden. He questioned what could they do aside from their monthly meetings or within their meetings that could address these topics.

## **6. CHAIRMAN'S MATTERS**

None

## **7. MEMBER'S MATTERS**

Mr. Auwaerter said that he understands that the City has started to have discussions about potential bond financing to fund the new WWTP/WRF and he would hope that any plan would come before the Commission first for their input since he worked for a third of the century in the bond business. He felt that it would be appropriate for him and the rest of the Commission members to give their input.

Mr. Auwaerter said that he hopes the City Council would hold a closed door meeting on cyber security. He said all the municipalities and towns in the State are responsible for providing a plan to the Florida Cyber Security Chief Officer by the end of the year. He felt it was important for the City Council to see what was being done. He felt it would be appropriate for City Councilmembers to discuss with staff what steps they have taken to make sure that there is not a breach.

At this time, the Commission went to item 5) – Public Comment on today's agenda.

## **8. CITY ATTORNEY'S MATTERS**

None

**9. ADJOURNMENT**

Today's meeting adjourned at 10:15 a.m.

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