ROLL CALL

1. Agenda Changes, Additions and Deletions (ADD-ON AGENDA ITEM 4-d.)

2. Public Participation

*3. Approval of Consent Items (APPROVED) (CHAIRMAN BIEDENBACH PULLED CONSENT ITEMS b., c, d, AND f. AFTER DISCUSSION ALL ITEMS APPROVED AS SUBMITTED)

   a. ✔ Minutes of Regular U.C. Meeting Held 7-17-17  (U.C. and State Requirements)

   b. ✔ ITB #18-17 – Electric Transformers (Padmount/Polemount) (Recommend Awards to Gresco Utility Supply and Anixter, Inc.) – M. Rodriguez  (U.C. and State Requirements)

   c. ✔ ITB #19-17 – Electric Pad-Mounted Switchgears (Recommend Awards to Stuart C. Irby Company and Gresco Utilities) – M. Rodriguez  (U.C. and State Requirements)

   d. ✔ Developer’s Infrastructure, Capacity, and Inspection Agreement – Brumbelow Water Main Extension (Stewart Drive) – Robert W. Brumbelow – D. Wainscott  (U.C. and State Requirements)

   e. ✔ Developer’s Infrastructure, Capacity, and Inspection Agreement – Florida Days Phase 3 (Creek Shore Drive) – Old Smyrna Land Company, LLC – D. Wainscott  (U.C. and State Requirements)

   f. ✔ Smyrna Substation Relay Upgrades (Duke Energy FL/Master Services Agreement) – T. Beyrle  (U.C., State, and Federal Requirements)

(8) 1. Engage an attorney for a second opinion  Mrs. Brits-Parker

(CHAIRMAN BIEDENBACH REQUESTED TO CHANGE THE ORDER OF BUSINESS TO ACCOMMODATE COMMS. BRITZ-PARKER AND DISCUSS THE ENGAGEMENT OF AN ATTORNEY FOR A SECOND OPINION AT THIS TIME)

(COMMS. BRITZ-PARKER INDICATED VERBAL CONTACT WITH ATTORNEY THOMAS CLOUD, GRAY ROBINSON, AND RECEIVED A QUOTE OF NOT-TO-EXCEED $15,000 TO PROVIDE A SECOND LEGAL OPINION ON WHAT THE UTILITIES COMMISSION COULD AND COULD NOT SPEND ITS MONEY ON. DISCUSSION ENSUED RE: COST, OUTLINED AND EXPECTED DELIVERABLES*, I.E. INCLUSION OF PRESENTATION OF THE OPINION TO UC COMMS. COMMS. BRITZ-PARKER INDICATED AN ENGAGEMENT LETTER WOULD BE FORTHCOMING FOR EXECUTION)

(THE UC COMMISSIONERS APPROVED A MOTION TO ENGAGE ATTORNEY THOMAS CLOUD IN THE AMOUNT OF $15,000 FOR A SECOND LEGAL OPINION ON WHAT THE UTILITIES COMMISSION CAN AND CANNOT SPEND MONEY ON)
4. General Manager's Report – R. Mitchum
      
      COMBINED SYSTEM IS A POSITIVE $1,188,337. THE BALANCE IN THE FUEL AND PURCHASED
      POWER ACCOUNT IS AN OVER RECOVERY OF $1,178,000, WHICH IS A DECREASE OF APPROX.
      $166,000 FOR THE MONTH)

      (ITEMS b AND d APPROVED CONCURRENTLY PRIOR TO ITEM c)
      
      b. ✔ Approval of Commissioner’s Travel Expenses – FMEA/FMPA 2017 Annual Conference –
         Commissioner Holcomb (APPROVED COMMS. HOLCOMB’S TRAVEL EXPENSES IN
         THE AMOUNT OF $165.00)
      
      ADD-ON d. ✔ Approval of Commissioner’s Travel Expenses – FMEA/FMPA 2017 Annual Conference –
         Commissioner Britz-Parker (APPROVED COMMS. BRITZ-PARKER’S TRAVEL
         EXPENSES IN THE AMOUNT OF $715.00)

   c. Discussion RE: U.C. Western Utilities Complex Property
      
      (UC STAFF PRESENTED A MAP
      DEPICTING EXISTING, IMMEDIATE, AND PLANNED UTILITY INFRASTRUCTURE PROJECTS. MAJORITY
      OF PROJECTS INCLUDED AND DEPICTED IN RECENTLY UPDATED MASTER SYSTEM STUDIES AND
      5/10 YR. CIP. ALSO DISCUSSED ASSOCIATED REQUIREMENTS FOR THESE PROJECTS - ADDITIONAL
      PROPERTY EXTERNAL TO ACTUAL PROJECT SITES WILL BE REQUIRED FOR BUFFERS,
      CONSERVATION, MITIGATION, ETC.)

      (COMMS. DAVENPORT INDICATED HIS PERSONAL DESIRE WAS FOR UC TO TAKE THE EAST SIDE OF
      THE POWER LINES ON THIS PROPERTY AND UTILIZE THE WEST SIDE IN SOME WAY FOR THE TAX
      BASE IN OUR COMMUNITY, FOR WAREHOUSES AND BUSINESSES, TO MAKE IT EASIER ON THE
      COMMUNITY, THEN SELL THE FRONTAGE OFF AT A PRIME PRICE AND PUT THAT BACK IN UC KITTY
      FOR THE UTILITY PROJECTS)

      (COMMS. HOLCOMB INDICATED NON-SUPPORT FOR SOLAR ON THIS PROPERTY AT THIS POINT
      UNLESS MANDATED. REQUESTED COSTS BE PROVIDED FOR THE PROJECTS AND WANTED TO MAKE
      SURE THESE PROJECTS ARE THE UC’S ONLY AND BEST USE OF THE PROPERTY. ARE THERE OTHER
      SOLUTIONS, DOES THE UC NEED THAT MUCH OF GOOD PROPERTY)

      (DIRECTOR OF ENGINEERING POINTED OUT THIS PROPERTY WAS ACQUIRED THROUGH EMINENT
      DOMAIN BY THE UC AND HAS CERTAIN ASSOCIATED RESTRICTIONS. ALSO STATED THESE PROJECTS
      WERE DEVELOPED BY THE DIRECTORS AND GENERAL MANAGER AS A NEED FOR THIS UTILITY, NOT
      A WISH LIST. INDICATED A LOT OF THIS PROPERTY IS IN FLOOD PLAIN, HAVE TO COMPENSATE WITH
      SIGNIFICANT HYDRAULIC CONNECTION TO THE FLOOD PLAIN. IF DISCUSSING MOVING TO OTHER
      AREAS OFF THIS PROPERTY WOULD THEN NEED TO GET REQUIRED UTILITIES TO THOSE AREAS,
      WILL BE ADDED COSTS AS THE REQUIRED EXISTING UTILITIES ARE CENTRALLY LOCATED ON THIS
      PROPERTY.)
c. Discussion RE: U.C. Western Utilities Complex Property (CONT.)

(CHAIRMAN BIEDENBACH COMMENDED STAFF ON PERFORMANCE OF OPERATIONAL DUTIES BUT INDICATED DOUBT THAT UC STAFF WAS GOOD AT DEVELOPING LAND, WOULD LIKE A LAND DEVELOPER TO LOOK AT THIS PROPERTY AND SAY YES OR NO UC IS ON THE RIGHT TRACK. THEN REQUESTED A UC COMMS. TO RECOMMEND THE UC GOES TO A RFP TO GET SOMEONE THAT KNOWS HOW TO DEVELOP PROPERTY OR KNOWS WHAT PROPERTY IS WORTH TO DETERMINE IF UC IS ON THE RIGHT TRACK OR WHETHER SOME OF THESE UTILITY PROJECTS SHOULD BE SCATTERED IN OTHER PARTS OF THE CITY)

(COMMS. BRITZ-PARKER MADE A MOTION FOR THE UC TO ISSUE AN RFP TO FIND SOME TYPE OF EXPERT TO TAKE A LOOK AT WHAT IS PROPOSED ON THIS PROPERTY, TO LET THE COMMS. KNOW IF THEY'RE ON THE RIGHT TRACK AND IF THIS IS THE BEST WAY TO GO FOR ALL OF THESE PLANNED PROJECTS. MOTION SUBSEQUENTLY DIED FOR LACK OF SECOND)

(COMMS. GRIFFITH REQUESTED UC MANAGEMENT TEAM TO PRIORITIZE THE WORK AND POTENTIAL PROJECTS, AND WITH COSTS)

(GM/CEO INDICATED THIS HAS BEEN DONE IN THE UC'S CIP. ALSO REITERATED EXISTING UTILITY INFRASTRUCTURE ON THIS PROPERTY SUPPORTS THE PLACEMENT OF ADDITIONAL UTILITY PROJECTS DUE TO REQUIRED INFRASTRUCTURE, NECESSARY TO TIE INTO.)

(COMMS. GRIFFITH REQUESTED UC LEGAL COUNSEL COMMENT DUE TO THIS PROPERTY'S ACQUISITION BY THE UC THROUGH EMINENT DOMAIN)

(UC LEGAL COUNSEL THEN CAUTIONED THE UC COMMS. REGARDING NOT BEING IN THE BUSINESS OF DEVELOPMENT AND ARE SPENDING RATEPAYER'S MONEY. CAUTIONED A DETERMINATION NEEDS TO BE MADE RE: WHETHER EXPENDING THESE DOLLARS ARE FOR THE BENEFITS OF PURPOSES AS A UTILITIES COMMISSION OR IN THE MOVEMENT AND FORWARDING OF DEVELOPMENT OF PROPERTY)

(DURING ONGOING DISCUSSION CHAIRMAN BIEDENBACH DECLARED EX PARTE COMMUNICATIONS DURING THE LAST MONTH REGARDING THIS PROPERTY AND ALSO WILLIAMSON (PROPOSED EXTENSION) – DECLARED DISCUSSIONS WITH GLENN STORCH; DANNY WEHMEYER; JIM RUSSELL; AYME KING; KHALID RESHEIDAT; PAM BRANGACCIO; MAYOR HATHAWAY; AND DEB DENYS. HE ADDED DEB DENYS SUGGESTED HE DISCUSS THIS WITH GLENN STORCH WHICH HE DID. ALSO INDICATED HE HAD CHECKED SOME PROPERTY PRICES ALONG S.R. 44, SOME JUST TRANSFERRED FOR $1/2 MILLION PER ACRE.)

(GM/CEO POINTED OUT NONE OF THE ABOVE LISTED PERSONS CHAIRMAN BIEDENBACH DISCUSSED THIS WITH INQUIRED AT THE U.C. MAJORITY MENTIONED ARE EITHER DEVELOPERS OR TAX COLLECTORS, NOT RATEPAYERS FOR WHICH THIS PROPERTY WAS OBTAINED FOR. CONCERNED AS TO WHO WOULD BE BROUGHT IN TO LOOK AT THIS AS DEVELOPMENT, WOULD HAVE TO BE A UTILITY EXPERT IN DEVELOPMENT OF WHAT'S NEEDED – UTILITY INFRASTRUCTURE. THE UC HAS PERFORMED SYSTEM STUDIES SHOWING WHAT HAS TO BE DONE. PROJECTS ARE IN UC CIP WITH FIGURES ATTACHED. STATED UC STAFF CAN DO A PRESENTATION GOING FORWARD ON ALL OF THESE PROJECTS AND LAY THEM OUT WITH ESTIMATED COSTS)
c. Discussion RE: U.C. Western Utilities Complex Property (CONT.)

(Comms. Holcomb stated he wanted to make sure the UC is using this property to its maximum potential and wants to vet the whole process. Commented nothing wrong with asking questions, going to need money for all those projects, going to come to the Comms. to vote on it. Might be absolutely the best use and have no other choice, and have to go there, but could then stand in the community when people ask and defend it. Reiterated if that's the best case, the best use, and it's best for the Utilities Commission, then that's what we're going to do and I'll defend it, but I've got to understand it to vote it)

(Comms. Britz-Parker indicated Comms. not looking to develop anything. Obviously property right on 44 worth a lot more money than when it was purchased. Obviously from money generating standpoint the city and the county are going to get a lot more money in their pockets from some other type of taxable development along 44, that's going to be the highest and best use. What Comms. are looking for is this really, long term, in the best interests of the Utilities Commission to do it the way staff laid it out. Indicated concurrence with Comms. Holcomb, if somebody comes to us that really knows what they're doing here and says yes this is the best deal, much vision when purchasing to be able to get this in, then yes, I can support it, when other people in the community are saying why are you taking this extremely expensive property and having a utility warehouse there. If legality determined, maybe the UC will be able to market some of the property directly on 44 and bring money in for UC ratepayers to help pay for the really significant utility projects. Don't really know, that's why we're here, have a fiduciary responsibility to handle this in the best way possible for all parties concerned)

(GM/CEO reiterated the Master System Studies prioritized and vetted the need of the majority of the infrastructure projects on this property, for existing system and also new development requirements, urged review of these studies and UC's capital improvement plan which includes costs and projected time periods)

(Chairman Biedenbach added the Comms. are trying to figure out if this is the best use for our utility and do we need to put it on land that is this expensive. If somebody comes back that knows how to do land in this community knows about this area, then after talking to Mr. Wainscott and Mr. Mitchum, they determine can't do anything with it other than what staff planned, and it's somebody that knows what they're talking about tells me that, I'm willing to listen to them. But at this point, I have too many of these people that I have talked to in the last month that are telling me otherwise. But if they tell me no, there's other ways to do it and we can put utility facilities in other places in this community that are not worth what this property is, I will listen to them)
4. General Manager's Report – R. Mitchum  
c. Discussion RE: U.C. Western Utilities Complex Property  (CONT.) 
   (UC COMMS. REQUESTED UC STAFF TO DENOTE THE UC’S CIP PROJECTS WITH COSTS AND PRIORITY 
   ONTO THIS PROPERTY MAP AND PROVIDE WITHIN A TIME PERIOD OF UP TO 90 DAYS)  
   (DIRECTOR OF ENGINEERING INDICATED THERE MAY BE AN INTERIM PRODUCTION FOR VIEWING 
   ONLY PRIOR TO PRESENTING/DEFENDING AT A SUBSEQUENT UC MEETING TO ENSURE IN 
   COMPLIANCE WITH REQUEST. DIRECTOR OF ENGINEERING ALSO STATED HIS TECHNICAL AND 
   LICENSED QUALIFICATIONS AS A PROFESSIONAL ENGINEER, HIS UTILITY EXPERIENCE, AS WELL AS 
   EXTENSIVE BACKGROUND IN LOCAL LAND DEVELOPMENT SPECIFIC TO THIS PROPERTY AND AREA)  

5. Commission Counsel's Report  

6. Old Business  

7. New Business  
   (APPROVED – MEDICAL CURRENT CARRIER FLORIDA HEALTHCARE PLANS – 10.5% 
   RENEWAL; DENTAL CURRENT CARRIER THE STANDARD – 7% RENEWAL; VISION CURRENT 
   CARRIER – 0% RENEWAL; SUPPLEMENTAL (VOLUNTARY) CURRENT CARRIER COLONIAL; 
   BASIC LIFE/AD&D, ST/LT DISABILITY CURRENT CARRIER THE STANDARD – 0% RENEWAL) 

8. Possible Other Business - Time for Commissioners  

From: William Biedenbach  
Sent: Monday, August 14, 2017 1:51 PM  
To: Ray Mitchum  
Subject: RE: Agenda 

I would like the following added to the Aug 21 agenda: 
1- Engage an attorney for a second opinion  Mrs. Brits-Parker  (MOVED UP ON AGENDA AND 
   DISCUSSED AFTER AI 3. CONSENT ITEMS) 
2. Discussion of 800 acres on west I-95  (UC STAFF DISCUSSED UC PROPERTY AND UTILITY 
   INFRASTRUCTURE USES UNDER AI 4-c, TO DISCUSS AT UC PRIOR TO THE UC COMMS.' 
   REQUESTED DISCUSSION AT 8-23-17 CITY JOINT MTG.) 
3 Advertise for firm to help pick new CEO  (CONFIRMED) 
4 What changes did we make after the hurricane last year. What have we learned  (NOT DISCUSSED) 
5 Solar Co-operative  Deirdri Macnab  407-415-4559  (NOT DISCUSSED)