

MINUTES OF A REGULAR MEETING OF THE FORT PIERCE UTILITIES AUTHORITY,
TUESDAY, NOVEMBER 18, 2008, 4:00 P.M., CITY COMMISSION CHAMBERS.

Members Present: Chairman, Pamela K. Cully; Vice Chairman, Robert W. Summerhays, Jr.; Secretary, Thomas K. Perona; Deputy Secretary, Darrell Drummond; Mayor Robert J. Benton, III; Ex-Officio Member/City Manager, David Recor.

Others Present: Director of Utilities; Director of Electric/Gas Systems; Director of Water/Wastewater Systems; Director of Finance; Risk Manager; Director of Shared Services; FPUA Attorney.

Chairman Cully called the meeting to order.

The Invocation was given by Mr. Craig Brewer.

The Pledge of Allegiance was recited.

The roll was called and a quorum declared.

Mrs. Nina Hurtubise, Director of Finance, presented the GFOA Certificate of Achievement for Excellence in Financial Reporting Award for FPUA's FY 2007 Comprehensive Annual Financial Report.

Mrs. Hurtubise explained this is the highest form of recognition in the area of governmental accounting and financial reporting. Its attainment represents a significant accomplishment for a government and its management. This is our fourteenth consecutive year to receive the award. There are about 3,500 governments that participate in this program. The rating agencies look upon this as a gauge as to how well we perform in terms of our financial reporting.

Mr. Summerhays said as a CPA, who had governmental auditors as partners, once again, he has to say he knows how hard it is to get. He congratulated Mrs. Hurtubise.

Mayor Benton said he would like to reiterate his congratulations. He has been lucky enough to sit on this Board, and also sit with the City, and George Bergalis has received this award for many years, also. Not every city or utility gets this award. The public in this community should know we've done our job when it comes to financing, and we've got the right people in that position.

Mrs. Cully offered her congratulations and thinks our whole community should be very proud.

Motion by Mr. Perona, seconded by Mr. Drummond and unanimously carried to approve the items listed on the Consent Agenda:

1. Approve Change Order No. 1 to the contract with Osmose Utilities Services, Inc. for electric utility system safety inspection and field inventory services in the amount of \$110,000.
2. RFP 5882: Approve Professional Services Agreement with Public Resources Management Group to perform a Rate Sufficiency Analysis for Electric, Water, Wastewater and Natural Gas Systems in the amount not to exceed \$44,000.00.

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3. Bid 5860: Authorize piggyback of State Contract for procurement of remaining portion of the Electronic Document Management System plus a 10% contingency with Eventus Group Technology Consulting LLC in an amount not to exceed \$108,000.00
4. Approve Payment Agent Contract between FPUA and Cash Services, Inc. to receive cash payments from customers.
5. Approve request to transfer Board approved funds in the amount of \$31,990.00 from FY 09 Capital Budget for purchase of hypochlorite feed system for the Water Reclamation Facility.

Motion by Mr. Drummond, seconded by Mr. Perona and carried that the Minutes of the Regular Meeting of November 4, 2008, be approved. Mr. Drummond, Mr. Perona, Mayor Benton and Mrs. Cully voted yes. Mr. Summerhays abstained as he was not present at that meeting.

Mrs. Hurtubise requested approval of payment to FMPA for Public Gas Partners (PGP) Supply Agreement No. 2.

This came before the Board originally in September 2005, and again in November, 2006. This payment is an investment in natural gas in an effort to stabilize our gas prices. We agreed to participate with FMPA in this agreement. We have finished PGP Agreement No. 1, so this is an organization we've worked with before and are familiar with. She explained that the Board had approved \$1.8 million to be invested, but only about half of that amount was spent. She is requesting at this time payment of \$944,999.87 to FMPA, who in turn will pay PGP our share, plus their share. It will be paid no later than December 31, 2008. We will hang on to the money as long as we can.

Motion by Mr. Summerhays, seconded by Mr. Perona and unanimously carried to approve payment of \$944,999.87 to FMPA for Public Gas Partners (PGP) Supply Agreement No. 2.

Mrs. Elizabeth Schnebli of Electric Engineering presented a request to award bid to DisTran for structures for the Hartman Road upgrade.

Mrs. Schnebli explained the bid before the Board today is for 138 kv substation structures for Hartman Substation upgrade in an amount not to exceed \$372,597. We received only one bid, and it was from DisTran for these structures. Staff has worked with DisTran before on Causeway Substation. Based on their past history, staff feels the bid is valid and is the lowest and best bid received.

Motion by Mr. Perona, seconded by Mayor Benton and unanimously carried to accept the lowest and best bid from DisTran Packaged Substation, LLC in the amount not to exceed \$372,597.00 for substation structures for Hartman Substation Upgrade under bid no. 5852.

Mr. Thiess explained the next item for approval, adoption of Resolution UA 2008-12, is a follow up to the information item brought to the Board at the last meeting regarding the effort in Miami-Dade to repeal the section of Florida Statutes which authorizes a surcharge for municipal utilities outside the city limits.

Mrs. Nina Hurtubise presented Resolution UA 2008-12 for Board consideration. She explained the resolution opposes the efforts of the Board of County Commissioners of Miami-Dade County to repeal section 180.191 FS, which authorizes and limits the rates charged consumers outside municipal boundaries. As we discussed at the last Board Meeting, the Miami-Dade County legislative delegation is attempting to encourage our legislature to repeal this statute. We would wish to vehemently oppose that repeal. It could ultimately mean a rate increase across the board of about 4% for all our customers. It would have an extremely negative impact on our customers as a whole.

If adopted, this resolution will go to the Florida League of Cities, as well as our other legislators in Tallahassee, and we will try to stress to them very carefully what kind of a negative impact that would have on our customers.

Mayor Benton said our legislative delegation is meeting here at the Kight Center in December, and he has already scheduled the City to be on that agenda. He asked if anyone wanted to join us to present this to our legislative delegation. He will also have a resolution from the City in hand on that night. This will be one of many items for the City, but he thinks it is very important that they hear loud and clear from us that we need to be fighting this.

Motion by Mr. Drummond, seconded by Mayor Benton and unanimously carried to adopt Resolution UA 2008-12: Opposing And Protesting the Efforts of the Board Of County Commissioners of Miami-Dade County, Florida, to Repeal Section 180.191, Florida Statutes, which Authorizes and Limits the Rates Charged Consumers Outside Municipal Boundaries.

Mr. Thiess said in front of all our Board Members tonight there is a packet of insurance information. We are in the cycle of choosing coverages, and it needs to be wrapped up by December 1st. If anyone has questions, they can call Mr. Thiess or Human Resources. There are open enrollment sessions tomorrow that are still available. They are at 7:00 a.m., 10:00 a.m. and 2:00 p.m. in the War Room at the Energy Services Center. We have a different carrier than last year. The carrier is different, but the coverage is still very much the same.

ATTEST:

Secretary

Chairman