

**UTILITY ADVISORY COMMITTEE
CITY OF FORT LAUDERDALE
CITY HALL 8TH FLOOR CONFERENCE ROOM
100 NORTH ANDREWS AVENUE
FT. LAUDERDALE, FLORIDA 33301
OCTOBER 28, 2008 – 6:30 P.M.**

Cumulative
January 2008 - December 2008

<u>Committee Member</u>	<u>Attendance</u>	<u>Present</u>	<u>Absent</u>
Bunney Brenneman, Chair [7:09 pm arrived]	P	9	0
Bernard Petreccia	P	6	3
Robert Caine	A	7	2
L. Thomas Chancey	P	6	3
Robert Cole	P	7	2
Terri Murru [7:30 pm departed]	P	8	1
Raymond Parker	P	7	2
Fred Stresau	A	7	2
Debora van Valkenburgh	A	8	1
Claire Vickery [6:49 pm arrived]	A	5	4
Nathaniel Wilkerson	A	2	7

City Representatives

Peter Partington, City Engineer & Staff Liaison
Arleen Gross, Clerk's Office
Brigitte Chiappetta, Recording Clerk, Prototype, Inc.

Guests

Vic Beninate, AT&T

I. Call to Order

The meeting was called to order at 6:45 p.m., by Terri Murru, in the absence of Chair Brenneman and the resignation of Vice Chair Lewis. Chair Brenneman advised Ms. Murru by telephone that she was with her husband who had been taken to the hospital, but that she would be coming to the meeting shortly.

Ms. Murru noted there were guests in attendance, Amanda Allshouse and Patrick Hart, who were spectators from South Broward High School.

II. Roll Call & Announcements

Roll was called and attendance noted. A quorum was not present.

III. Self Introductions

There were self introductions of all members, staff and guests.

IV. Approve Minutes of August 26, 2008 Meeting (No meeting 9/23/08)

The Minutes of the August 26, 2008 Meeting of the Utility Advisory Committee were not approved as there was not a quorum present.

V. New Business

- **Presentation by Environmental Stewards Award Winners and Authors from Nova (Award from the City of Fort Lauderdale)**

This presentation did not occur as the award recipients were not in attendance this evening.

- **Other New Business**

Arleen Gross of the City of Fort Lauderdale Clerk's Office extended apologies from Jonda Joseph, City Clerk, and John Herbst, City Auditor, who were not able to personally present this ballot item to the Board this evening. Thereupon, Ms. Gross read the language of the ballot issue and advised that it is the last question on the ballot and is entitled "City Charter Revision Initiative."

Currently, the City Clerk and City Auditor do not have the authority to hire and supervise their respective staff. This was due to an oversight which occurred with the City Clerk and City Auditor positions were incorporated into the City Charter.

Ms. Gross encouraged everyone to vote on that issue and not to overlook it, as it is the last question on the ballot.

VI. Unfinished Business

- **Status of Consulting (RFP #3) Contract** **City Staff**

Mr. Partington reminded the Board that the Commission agreed to enter into a contract with Power Services. The exact language of that contract is being finalized with the City Attorney's Office today. When that language is finalized, Mr. Partington said, it will be sent to Power Services for signature. They will then return the contract to the City for final execution. This process will take about a week to ten days. As such, Mr. Partington estimates that it will be three weeks before having an executed contract in force and effect.

Ms. Murru asked Mr. Partington to explain RFP #3 for the visitors' benefit. Mr. Partington explained that the first phase of this involves a Franchise Agreement with FPL in which

they are the exclusive provider of electricity to the residents in the City. That Franchise Agreement, which has lasted 30 years, expires next year, so the City is retaining a consultant to advise the City on what items to negotiate and as to any revisions which should be made to the Franchise Agreement. There will also be emphasis on how the franchise might be renegotiated to encourage FPL to underground more of their power lines.

[6:49 p.m. Claire Vickery arrived]

As an estimated time frame, Mr. Partington said he believed during the first three months of 2009, there should be some fairly heavy duty analysis from the consultant as to the FPL agreement. He said it is highly likely that negotiations with FPL should begin in the second quarter of 2009.

Ms. Murru asked if this Committee will have access to the consultant and whether this Committee has any role in this process. Mr. Partington stated that "yes, in principle," and while not spelled out, he is sure this can be facilitated. Ms. Murru expressed that she believed that the Committee members would like to provide input from their experiences and what they have heard from their communities.

Mr. Petreccia said that he is interested to see what the consultants will recommend, and that this is where this Committee will need to analyze and bring in its suggestions. Ms. Murru agreed that she believed this Committee will be most helpful towards the end of the consultant's review of the situation. Mr. Partington recalled that the Commission changed the first proposed direction concerning undergrounding, because the original scope of work was to look into the City municipalizing the power distribution system. It was then decided that the City should negotiate with FPL before considering municipalization.

Mr. Partington stated that it was thought to be a means to an end because no one knew how FPL could be encouraged or required to underground more of their lines. It was felt a possible solution would be for the City to go into the business for itself. For about a year, that was the direction the City seemed to heading. When the matter was brought before the Commission, Mr. Partington stated, they felt it would be prudent to attempt negotiations before the Franchise Agreement was thrown out.

Mr. Chancey expressed that this may have stimulated FPL to think a little differently of their position. Mr. Partington stated that it is quite likely that FPL came up with their current program because they are under pressure, not only from this City, but from a number of cities who are dissatisfied with the ability of their system to withstand hurricanes.

Mr. Partington said that because this Committee heard so much and got so interested in municipalization, it put part of the pressure on FPL to discuss undergrounding. As a result, FPL took attention to things this Committee was hearing. In addition, FPL has now taken an approach whereby they will contribute 25% towards undergrounding.

Mr. Parker asked if everyone understood that the 25% being contributed by FPL is, in reality, being paid by the consumer. In addition, he claimed that undergrounding lines was not without some problems. Mr. Chancey said he understood this, but if it were a bad idea, he would not see so many brand new communities all going underground.

Mr. Petreccia agreed that the way to go is underground, and that FPL's feet need to be held to the fire. He also felt it was unacceptable for FPL to only pay 25% of the undergrounding costs. Mr. Petreccia would like to see FPL agree to do 3% or 5% of the planned undergrounding, so that if the City signs another agreement with them, then by the end of that agreement, the majority of the lines will be underground.

Mr. Petreccia said that when a new street is being put in is when undergrounding should be considered. He claimed it is unacceptable to spend \$1 million to move poles when \$1.5 million could be spent to go underground.

- **Other Unfinished Business**

Mr. Parker asked if anyone has heard anything about the reduction in what constitutes a quorum, or any new appointments on this Committee. Ms. Murru recalled that this was discussed two meetings prior when Mr. Dunckel was present, in addition to this Committee being short two of its members for more than a year.

Mr. Cole said that the problem was that the quorum is based on the number of seats on the Committee and that several of those seats have been vacant for quite some time.

Mr. Partington stated that if the total number of seats on this Committee was 15, then a quorum would be 8. Mr. Partington noted that there were only 12 members currently appointed to this Committee. He questioned why the quorum would be 8 people, when there can never be more than 12 in attendance at best. Mr. Partington confirmed that this Committee wanted the quorum to be 50% plus one of the "appointed" members.

Ms. Vickery asked if this Committee wanted to hold a discussion separate from the Green Expo and Arbor Day, on energy-related issues. She said this would be more like what was done two years ago at the library, and suggested planning far ahead and getting more people to participate. Ms. Vickery added that it may be appropriate to inform the public what comes out of RFP #3.

[7:09 p.m. Chair Bunney Brenneman arrived]

Ms. Murru turned over the meeting to Chair Brenneman. Ms. Murru advised Chair Brenneman that there was a discussion about whether it would be prudent to have the next Committee meeting so close to Thanksgiving. Chair Brenneman stated that she had checked this before scheduling this meeting and determined that it would be fine.

Chair Brenneman then explained the reason for her late arrival at tonight's meeting being

her husband's sudden and unexpected collapse and admission to the hospital where he was presently undergoing testing.

As to Arbor Day and Green Expo, Mr. Partington said that he had been asked to request that the budget and any preliminary ideas be put in writing as soon as possible in order that P.I.O. can begin working on these events. Chair Brenneman agreed this should be done.

Chair Brenneman stated that Friday evening would be dedicated to Mr. Chancey for Arbor Day so that the live evening news coverage would be available. It would be started early enough to catch the school children and their parents at the end of the presentation at the school. Mr. Chancey advised that he has received permission from the Principal at Fort Lauderdale High School to hold the morning Arbor Day program at their school.

Chair Brenneman advised that the Garden Club would be invited to attend both Arbor Day and Green Expo events.

Chair Brenneman said that there would be more emphasis on the presentation to the City if the City becomes an Arbor Day City, which presentation would occur on Friday evening. The Tree Subcommittee would also present its homeowners and trees special display that evening.

Chair Brenneman expressed that Mr. Chancey previously provided presentations with story-boarding that has been extremely effective as a teaching mechanism. She offered that it would be very effective for television and for people who are observing the presentations.

Mr. Chancey stated that he had just announced on NBC the details of the Flyaway Coalition. He explained that there are four major migrating flyaways up and down the United States. The National Wildlife Federation has selected the eastern flyaway as Atlanta and Greater Fort Lauderdale. Fort Lauderdale was selected because the Naturescape Broward task force for the last five years under Commissioner Jacobs has implemented over 2,000 backyard habitats for wildlife and butterflies. The most active areas have been Pembroke Pines, Plantation, Coconut Creek, Pompano, Deerfield and Fort Lauderdale. Mr. Chancey said that the flyaway has become very critical nationally. The eastern flyaway relates to not only birds, but also to sea turtles and manatees.

There are some 60-plus cities, Mr. Chancey said, that have become a part of this Coalition to promote awareness of the necessities of finding a place for the birds to eat. Mr. Chancey expressed that he would like to attempt to bring everything together so that awareness can spread.

Mr. Chancey commented that the Arbor Day event will not be the typical "give a tree away" event. He advised that the event is scheduled to be held at Fort Lauderdale High School in the morning. He and Gene Dempsey had discussed perhaps moving the

event in the afternoon to Riverwalk to kick off the following day's Green Expo.

[7:20 p.m. Ms. Murru departed]

Because of the focused attention to cost of doing business, cost of living, and everything relating to energy, Ms. Vickery suggested having a more technical and/or forum discussion on energy and perhaps an open forum for presenting findings of the consultant on ways in which the City's Franchise Agreement can be more effective in the City of Fort Lauderdale. Ms. Vickery believes this may draw some of the more serious, critical questions.

Mr. Partington, while agreeing with everything being said, reiterated that the events must be planned in advance as far as possible. The Green Expo, in particular, would require a significant investment of time and effort. Ms. Vickery commented that this event would be much simpler, and could possibly even be held at City Hall. Mr. Partington recalled that the event that was previously held in the library was not insignificant. Ms. Vickery agreed, but suggested that this would not be to the same level, but instead would be more technical, but not with ten panelists. She suggested that it involve perhaps one or two panelists.

Ms. Vickery expressed that the Franchise Agreement, and at least some of the negotiations and points of interests regarding FPL, will be of interest more and more to people.

Mr. Chancey stated that this discussion could be considered a part of the Green Expo where people could be directed to give their attention to these speakers. He suggested that rather than charge the participants for their space in the Expo, they could be asked to bring food or other items that would be an expense for the City. This may defer any worries about costs.

Mr. Partington said that cost is one issue, but it relates specifically to the Green Expo. He said it is most important that the sooner the budget is approved for the Green Expo the better, and that it still must be approved by the City Commission. Also, the last Green Expo probably involved too much last minute organization because it was the first event of its kind. Therefore, Mr. Partington is making the point on behalf of the P.I.O. office that the sooner that the outline of the event can be put on paper, including the budget, the sooner they can start organizing it and the less last minute things there will be. At this time, the event is less than six months away. While this seems like a long time away, Mr. Partington said it really was not.

VII. Good of the Committee & Announcements

Mr. Partington advised that Lynn Shatas of FPL had sent everyone a complete set of line clearance maps by email, but that he had a few sets available in hard copy.

Ms. Shatas had explained to Mr. Partington that there was incorrect information on two of the line clearing maps (Cypress Creek area and Holy Cross area) that were provided via email. As such, he was in possession of a number of corrected copies for the Committee.

There was then a discussion of the next meeting the Utility Advisory Committee which had been scheduled during the week of Thanksgiving, and whether it would be difficult to achieve a quorum at that meeting. Mr. Petreccia and Ms. Murru advised that they would not be available for the meeting currently scheduled on November 25, 2008.

Mr. Parker asked if there would be a meeting in December. Chair Brenneman confirmed that traditionally there is no meeting in either November or December.

Mr. Partington said that one of the items he is trying to have scheduled for discussion is Mr. Caine's request to discuss a possible ordinance regarding undergrounding. He said it would be difficult to schedule City Staff to attend this meeting if it were moved to the week prior. It was agreed that the meeting remain as scheduled for November 25, 2008.

VIII. Tree Subcommittee

- **Approve Minutes of August 14, 2008 Tree Subcommittee Meeting**

It was agreed by the Committee that this matter would not be addressed tonight since Fred Stresau, Chair of the Tree Subcommittee, was not present this evening.

IX. Next Meeting – UAC Regular Meeting November 25, 2008 at 6:30 p.m.

X. Adjourn

With no further business to discuss, the meeting adjourned at 7:44 p.m.