

MINUTES OF THE TWELFTH MEETING OF KISSIMMEE UTILITY AUTHORITY, HELD
THURSDAY, SEPTEMBER 12, 1985, AT 7:00 P.M., CITY COMMISSION CHAMBERS,
MUNICIPAL ADMINISTRATION BUILDING, KISSIMMEE, FLORIDA.

Present at the meeting were Chairman VanMeter, Vice-Chairman Hord, Secretary Bobroff, Assistant Secretary Jones, Director Maher, Director Gant, Attorney Brinson, General Manager Welsh, Recording Secretary Fitzgerald.

A. MEETING CALLED TO ORDER by Chairman VanMeter at 7:02 P.M.

B. AWARDS AND PRESENTATIONS - None

C. HEAR THE AUDIENCE

Chairman VanMeter noted the presence of Mr. Hole, Orange Gardens, and asked if he had any comments. Mr. Hole stated that he did not.

D. INFORMATIONAL REPORTS (REQUIRING NO ACTION)

1. RISK MANAGEMENT AND INSURANCE

Mr. Welsh stated that Jimmie Watford, our contact on the City management team, is to give an overview of our risk management insurance program; itemizing insurance programs that are necessary for us to have. Mr. Watford had not arrived by this time, therefore, Chairman VanMeter suggested that this item be held until his arrival.

Attorney Ed Brinson informed the Board of a recent Supreme Court case on the question of liability, which he felt was germane to this item. During discussion, Mr. Watford arrived for his presentation. Mr. Brinson stated that he would like to discuss the Supreme Court case with Mr. Watford and Al Waters, the insurance consultant hired by the City, to see how it might affect our insurance needs.

Mr. Watford began by stating that all the City's insurance is on the market, at this time, with the exception of health and life. The deadline has been extended until next Monday, September 16, since the insurance companies polled did not have enough time with the August 27 deadline. He felt that the City may need to have some kind of workshop after the proposals have been reviewed, because of the difficulty in obtaining coverage; it may be necessary to discuss self-insuring, among other options. He also felt that the KUA Board members might wish to attend such a workshop. Mr. Watford went on to describe the various types of insurance policies, at which time, he answered questions from the Board.

E. OLD BUSINESS

1. TRANSFER OF ASSETS AGREEMENT

Mr. Welsh reviewed the discussions of the joint City Commission-KUA Workshop, which was held Monday, September 9, 1985.

Director Bobroff moved to delay action on the Transfer of Assets Agreement until such time as the Board has a chance to review it. Motion was seconded by Director Maher.

Motion Carried 5 - 0

Further discussion followed.

F. NEW BUSINESS - None

G. CONSENT AGENDA

Director Bobroff moved to approve the Consent Agenda as submitted. Motion seconded by Director Hord.

Motion Carried 5 - 0

1. APPROVAL OF MINUTES OF SEPTEMBER 5, 1985, MEETING

H. HEAR GENERAL MANAGER, ATTORNEY, DIRECTORS

GENERAL MANAGER

Mr. Welsh stated that a Resolution to adopt the revised City Ordinances is being worked on between Attorney Ed Brinson, Director Bobroff and himself.

Next week we plan to have before you the recommendation of the financial team regarding FMPA Refinancing. The final analysis is being performed by Toby Wagner, Southeastern Municipal Bonds.

Mr. Welsh introduced the subject of the General Manager's Compensation, involving three areas: salary, pension, and notification.

Director Maher moved that the General Manager's Compensation be placed on the Agenda. Motion was seconded by Director Bobroff.

Motion Carried 5 - 0

Director Bobroff moved the salary of the General Manager be \$55,000 for the FY 85-86. Motion seconded by Director Jones.

Discussion followed.

Motion Carried 5 - 0

The area regarding pension, specifically, ICMA(International City Managers Association) for the General Manager was discussed at length.

Director Hord moved that the General Manager's pension plan be established with ICMA at the level of contribution to parallel the City's contribution percentage. Motion was seconded by Director Maher.

Motion Carried 5 - 0

Further discussion occurred regarding the area of notification of termination.

Director Bobroff moved that the General Manager will give the Board thirty (30) days written notification of resignation. In the event of termination of the General Manager's services by the Board, he would be given sixty (60) days written notice of termination. Motion was seconded by Director Hord.

Motion Carried 5 - 0

DIRECTORS

Director Maher asked if Mr. Welsh can still serve on the Retirement Committee as the KUA representative. Jean Bennett, Finance Director, stated that he could not under his current status, since he was elected as a representative, and as such he would have to be a member of the plan. The change to have the KUA General Manager automatically on the Committee has not yet been made, but he could serve under that circumstance. Mr. Welsh stated that it is to be brought up at the next quarterly meeting, for them to take the recommendation to the City Commission for approval. Mr. Welsh went on to say that it will be necessary for the Board to adopt a formal Resolution to participate in the ICMA plan and an ICMA Deferred Compensation Plan.

Director Bobroff asked Attorney Brinson if a formal separate action must be taken to enact an 8% surcharge outside the City before it can be included in a rate schedule. Mr. Brinson stated that when the rates are adopted, you are establishing a rate and a surcharge.

Director Gant asked how the money that is held in reserve for the bond program can be invested. Jean Bennett answered that there is a list of investment instruments that are permitted by the Bond Ordinance. Director Gant stated that based on this reserve or any other cash you might have that is not involved in any restrictions, it might be worth considering the idea of purchasing additional power. He also thought that it would be appropriate for Attorney Brinson to clarify for the KUA Board and the City Commission as to what the respective positions are, in light of the Lake Worth controversy.

Director VanMeter asked about a possible calendar of various conferences, etc., that may be of benefit to the Board. Mr. Welsh stated that it is in the process of being compiled and will be brought to the Board as soon as it is complete. Director VanMeter stated that he had been impressed by the Safety Program at OUC Stanton and asked if we have an internal safety program for the KUA. Mr. Welsh answered that the safety program will continue to be administered through Mr. Berlinsky, through the General Services Contract with the City. Director VanMeter asked that a Procedures for Ethic Violation Charges be brought to the Board on the Agenda for the Board to adopt for the KUA members, Directors or employees.

Director VanMeter asked Mr. Welsh to update the Board on the plans for October 1. Mr. Welsh stated that at 7:00 A.M. it is planned to meet at the Service Center, where the "fleet" will be ready to roll with new emblems, logos, uniforms, and caps. A brief statement will be made by the General Manager and, hopefully, by the Chairman and/or other Board members. At 8:00 will be the first meeting as an official organization, which will be comprised of handling the legal obligations, i.e., management contracts, budget approval, etc. In the afternoon, we are planning an Open House on the second floor, for everybody in the City Hall area also. On September 25, the Employees' Organization will adopt its Charter, all the Directors are invited to attend at 7:30 A.M.

I. ADJOURNMENT

The meeting was adjourned by Chairman VanMeter at 9:15 P.M.

ATTEST:


Chairman


Secretary