

MINUTES OF SPECIAL MEETING OF KISSIMMEE UTILITY AUTHORITY, HELD
TUESDAY, APRIL 28, 1992, AT 4:30 PM, ADMINISTRATION BUILDING,
KISSIMMEE, FLORIDA

Present at the meeting were Chairman Hord, Vice-Chairman Gant, Secretary Bobroff, Assistant Secretary Lowenstein, Director Jones, Attorney Brinson, President & General Manager Welsh, and Recording Secretary Rundio. Mayor Pollet was not present.

1. **MEETING CALLED TO ORDER** at 4:30 PM by Chairman Hord.
2. **CLAY STREET SUBSTATION PROPERTY**

This meeting was called for the purpose of obtaining the Board's approval for the purchase of the Clay Street substation property. At the April 23rd meeting, the Board directed staff to meet with Mr. Lyng to negotiate a contract for this property. The property has been appraised and evaluated, although some testing is pending. Attorney Brinson had drawn up the contract.

Ken Davis, Director/Planning & Engineering, who is also the Project Manager of this substation construction, highlighted the negotiation process. The meeting was attended by Reginald W. Lyng and his son, Attorney Edward Brinson, General Manager Welsh and Ken Davis. Mr. Lyng was offered a purchase price of \$170,000 plus 10%, totaling \$187,000, which Mr. Lyng rejected. Following a lengthy discussion, Mr. Lyng did agree to settle for \$200,000 with KUA paying the closing costs and expenses of sale, including title insurance, amounting to \$3,136.50. Mr. Davis stated the purchase agreement contained an Addendum with numerous contingencies as part of the contract. Mr. Lyng was told the agreement required the Board's approval. A 90-day closing period was established from date of signing. If all permits for conditional use are submitted to the County by May 11th, we could receive final approval from the County by June 28th.

Brief discussion followed on environmental testing, clarification of the Phase I and II requirements, and the requirement for a tree survey count indicating which trees would be removed for the substation.

Staff recommended that the agreement be approved, as presented.

Chairman Hord requested that staff expedite the permitting, etc., by going directly to William Goaziou (County Administrator) for permit action in order to meet our deadlines. Staff agreed to expedite all actions.

Moved by Director Jones, seconded by Director Lowenstein, to accept staff's recommendation for approval of the Contract for Sale and Purchase between Reginald W. Lyng and Dora F. Lyng, his wife, and Kissimmee Utility Authority for the purchase of property for the Clay Street substation project for the purchase price of \$200,000; authorize the deposit of \$20,000 to be held in escrow; and further authorize the Chairman and Secretary to execute said contract.

Motion carried 5 - 0

Chairman Hord said he could not be emphatic enough in that he did not want to hear anyone from Black & Veatch demanding additional charges concerning any possible delays, etc. Mr. Welsh assured him this would not happen.

Mr. Welsh thanked the Board for accommodating staff by attending this early meeting.

A reminder was made of the special meeting on May 7th, at 6:00 p.m., to discuss Lakeland's Larsen Unit #9, at which time an update would also be given on the Participation Agreement between FMPA (Florida Municipal Power Agency) and KUA.

Mr. Jones left the meeting at 4:47 p.m.

A brief discussion was held on calendar dates and the possibility of combining several meetings (e.g., Board Applicant Review and the Larsen Unit #9 meetings) in the interest of convenience, but none were changed due to an advertising deadline and other dates having been previously scheduled.

3. **ADJOURNMENT**: Meeting adjourned at 4:55 p.m.



CHAIRMAN

ATTEST:



SECRETARY