

**MINUTES OF THE CITY COMMISSION MEETING
MONDAY, JULY 22, 2013**

The City of Leesburg Commission held a regular meeting Monday, July 22, 2013, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Elise Dennison
Commissioner Jay Hurley
Commissioner John Christian
Commissioner Bill Polk
Mayor David Knowles

Also present were Interim City Manager (ICM) Ray Sharp, City Clerk (CC) Betty Richardson, and City Attorney (CA) Stephanie McCulloch for Fred Morrison, Deputy City Clerk (DCC) J. Andi Purvis, the news media, and others.

Fire Chief Kevin Bowman gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

PROCLAMATIONS: None

PRESENTATIONS:

Library Director (LD) Lucy Gangone recognized Carol Anderson for ten years of service in the Library.

CITY MANAGER SEARCH UPDATE:

Sean Baenzinger, with Colin Baenzinger & Associates, stated they have received an additional sixty-one applicants who look to be strong candidates and are starting the background checks. **Mayor Knowles** asked if the Commission would have the list in a couple of weeks. **Mr. Baenzinger** stated they would like to do the specific candidates extended background checks first. **Commissioner Hurley** asked Mr. Baenzinger why he thinks these are a better group of candidates. **Mr. Baenzinger** stated he did not want to go into specifics but these are candidates from larger cities with over a 100,000 population, with electric and airport experience. **Commissioner Polk** asked if the Commission will get all sixty-one candidates. **Mr. Baenzinger** handed out a listing of all the candidates to the commissioners. **Commissioner Christian** asked how many will be on the final list. **Mr. Baenzinger** stated five to ten, but would like to do all the extensive background checks first.

CONSENT AGENDA:

Pulled item for discussion:

4.B-2 - Purchase request for a 28-yard side loading refuse truck

Commissioner Christian moved to adopt the Consent Agenda except for 4.B.2 and Commissioner Dennison seconded the motion.

The roll call vote was:

Commissioner Polk Yes

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Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:

CITY COMMISSION MEETING MINUTES: None

PURCHASING ITEMS:

Purchase request from Fleet Services to Southern Sewer Equipment to refurbish a Vac-Con model V311LHA sewer vacuum truck for a total cost of \$63,119.86.

RESOLUTIONS:

RESOLUTION 9227

Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Third Addendum to Lease Agreement with Verizon Wireless Personal Communications LP; and providing an effective date.

RESOLUTION 9228

Resolution of the City Commission of the City of Leesburg, Florida authorizing the City Manager and staff to prepare an application seeking approval for the formation by the City of Leesburg of a Foreign Trade Zone encompassing Leesburg International Airport and such other areas as may be designated as being part of the Foreign Trade Zone, and if such application is approved, to proceed with the steps necessary to the formation of a Foreign Trade Zone; and providing an effective date.

RESOLUTION 9229

Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment 1 to Task Order No. 3 with Hanson Professional Services, Inc. related to the Signage Project at Leesburg International Airport; and providing an effective date

RESOLUTION 9230

Resolution of the City Commission of the City of Leesburg, Florida authorizing the Library Department to apply for and accept, if awarded, a grant from Lowe's Charitable and Educational Foundation of \$10,749 to establish a Youth Laptop Lab; and providing an effective date.

RESOLUTION 9231

Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve the Interlocal Agreement between Lake County and City of Leesburg relating to provision of Library Services; and providing an effective date.

RESOLUTION 9232

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Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement with Thompson Consulting Services as primary contractor for debris removal monitoring services in the event of a wind driven event or other disaster; and providing an effective date.

RESOLUTION 9233

Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement with Atkins North America, Inc. as secondary contractor for debris removal monitoring services in the event of a wind driven event or other disaster; and providing an effective date.

RESOLUTION 9234

Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Task Order #4 to an agreement for professional services with KEMA, Inc.; and providing an effective date.

APPROVED PURCHASING REQUEST OF A 28-YARD SIDE LOADING REFUSE TRUCK

Commissioner Polk introduced to be read by title only. Mayor Knowles read as follows:

Purchase request 45800 from Fleet Services to Nextran Truck Center, Inc. for the purchase of a 28-yard side loading refuse truck using the Florida Sheriff's Association contract for total cost of \$242,381.50

Commissioner Christian moved to approve the purchase item and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk asked what will be done with the old truck if not considered repairable.

Interim Public Works Director (IPWD) DC Maudlin stated the truck will be sent to auction and the money will go back into the budget.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission approved the purchase.

OTHER ITEMS: None

ADOPTED ORDINANCE 13-24 AMENDING CERTAIN SUB SECTIONS OF SECTION 22 - 196 OF THE CODE OF ORDINANCES

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City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING CERTAIN SUBSECTIONS OF §22 – 196 OF THE CODE OF ORDINANCES, PERTAINING TO ELECTRIC RATES, INCREASING THE RATES IN SCHEDULES RS (RESIDENTIAL SERVICE), GS (GENERAL SERVICE NON _ DEMAND), GSD (GENERAL SERVICE DEMAND), AND TOU (TIME OF USE); PROVIDING FOR AUTOMATIC ANNUAL INCREASES OF 5% PER YEAR FOR 2014 AND 2015; SPECIFYING HOW THE ANNUAL 5% RATE INCREASES IN 2013, 2014 AND 2015 ARE TO BE APPLIED IN CONJUNCTION WITH THE AUTOMATIC INCREASES SPECIFIED IN §22 – 166 OF THE CODE OF ORDINANCES; PRESERVING §22 – 196 EXCEPT AS AMENDED HEREBY; REPEALING ANY CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Christian moved to adopt the ordinance and Commissioner Hurley seconded the motion.

Mayor Knowles requested comments from the Commission and audience.

Commissioner Polk stated the City may need to increase its electric rates, but does not think it is necessary to increase them five percent for three years. He stated he would like to see only a one year increase and then review it again next year.

Commissioner Christian stated the 2007 bond report encouraged an eleven percent increase and the City only did an eight percent and is now looking at a two point two million dollar deficit because it did not stay on top of things. He stated he wants to see the utility healthy and asked if approved the five percent for three years could it be amended later.

ICM Sharp stated obviously staff does not really know what to expect from the savings of smart grid so an annual evaluation needs to be done and it is possible savings may generate sufficient funding to reduce the rate increase in the future. He stated the financial feasibility analysis was based upon the conditions of the utility and projections of today which is the conservative and prudent approach. The five percent is a combination of two things 1) the annual index adjustment and 2) a matter of transparency to be sure the three and a half percent and the one and a half percent are accurately reflected as a total of five percent in each of the future years. ICM Sharp stated his recommendation remains the same and believes the prudent thing is to move forward on the basis of remembering the utility needs to be financially healthy and this rate increase insures this.

Commissioner Dennison stated she can support a five percent increase because of the fact taxes were not raised or the utility charges in the past to make up for what should have been done. She stated however, she is against the smart grid project and thinks the City is dumping too much money down the drain. She would like to see the City fight the contract and come up with a different plan for going forward.

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Mayor Knowles stated Commissioners are bearers of news, decision makers and some of the decisions are tough one like this but stated he would much rather give bad news now and have a viable utility in five years. He stated if this motion fails this evening and the proper rate adjustments are not taken then the electric utility will not be able to transfer funds to the general fund. He stated the general fund is supported by eighteen percent ad valorem taxes and the rest of it comes from the enterprise funds and the biggest City enterprise fund is the Electric department and it needs to be kept healthy.

Commissioner Polk stated if raising five percent this year on a \$100 utility bill then it will be \$105 next year so at the end of the three years it actually comes out to about a sixteen and a half percent increase over a fifteen percent increase.

Finance Director (FD) Bill Spinelli stated correct.

Don Lukich, resident, stated in this case he agrees with Commissioner Polk and thinks five percent is good place to start, but should be looked at every year not just automatic for three years.

Carolyn VanDyken, resident, read several statistics from the November 28, 2011 agenda memo on the smart grid project and questioned the City's evaluation committee's method of choosing General Electric as its smart grid provider. She strongly urged the Commission to terminate the contract with General Electric and put the monitoring services out to bid.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	No
Commissioner Dennison	No
Mayor Knowles	Yes

Three yeas, two nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 13-25 REZONING APPROXIMATELY 55 ACRES

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE ZONING OF APPROXIMATELY 55 ACRES OF AN EXPIRED CITY PUD (PLANNED UNIT DEVELOPMENT) TO A NEW CITY PUD (PLANNED UNIT DEVELOPMENT) TO ALLOW A MIXED USE RESIDENTIAL AND COMMERCIAL DEVELOPMENT FOR A PROPERTY LOCATED SOUTH OF DIXIE AVENUE AND EAST OF LAKE STREET, AS LEGALLY DESCRIBED IN SECTION 25, TOWNSHIP 19, RANGE 24, LAKE COUNTY, FLORIDA, SUBJECT TO CONDITIONS CONTAINED IN EXHIBIT A; AND PROVIDING AN EFFECTIVE DATE. (REDUS Florida Land, LLC/Venetian Isle)

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Commissioner Christian moved to adopt the ordinance and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and audience. There were none.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the ordinance.

ADOPTED RESOLUTION 9235 AUTHORIZING EXECUTION OF AN ANNEXATION AGREEMENT FOR APPROXIMATELY 3.1 ACRES

Commissioner Polk introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK EXECUTE AN ANNEXATION AGREEMENT FOR APPROXIMATELY 3.1 ACRES WITH THE SERVICE ELECTRIC COMPANY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Polk moved to adopt the resolution and Commissioner Christian seconded the motion.

Mayor Knowles requested comments from the Commission and the audience. There were none.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the resolution.

ADOPTED ORDINANCE 13-26 ANNEXING APPROXIMATELY 3.1 ACRES

City Clerk Richardson read the ordinance by title only, as follows:

ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ANNEXING CERTAIN REAL PROPERTY CONSISTING OF APPROXIMATELY 3.1 ACRES AND BEING GENERALLY LOCATED ON THE WEST

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SIDE OF EXECUTIVE BOULEVARD, SOUTH OF COUNTY ROAD 44, LYING IN SECTION 29, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, WHICH IS CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF LEESBURG, FLORIDA, PROVIDING THAT SAID PROPERTY SO ANNEXED SHALL BE LIABLE FOR ITS PROPORTIONATE SHARE OF THE EXISTING AND FUTURE INDEBTEDNESS OF SAID CITY; PROVIDING THAT SUCH ANNEXED PROPERTY SHALL BE SUBJECT TO ALL LAWS AND ORDINANCES OF SAID CITY AS IF ALL SUCH TERRITORY HAD BEEN A PART OF THE CITY OF LEESBURG AT THE TIME OF PASSAGE AND APPROVAL OF SAID LAWS AND ORDINANCES; PROVIDING THAT SUCH ANNEXED TERRITORY SHALL BE PLACED IN CITY COMMISSION DISTRICT 3; AND PROVIDING AN EFFECTIVE DATE (SERVICE ELECTRIC COMPANY)

Commissioner Christian moved to adopt the ordinance and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and audience. There were none.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 13-27 AMENDING THE COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 3.1 ACRES

City Clerk Richardson read the ordinance by title only, as follows:

ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF LEESBURG, CHANGING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY CONTAINING APPROXIMATELY 3.1 ACRES, BEING GENERALLY LOCATED ON THE WEST SIDE OF EXECUTIVE BOULEVARD, SOUTH OF COUNTY ROAD 44, LYING IN SECTION 29, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, FROM COUNTY URBAN EXPANSION TO CITY INDUSTRIAL; AND PROVIDING AN EFFECTIVE DATE. (Service Electric Company)

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Commissioner Christian moved to adopt the ordinance and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and audience. There were none.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 13-28 REZONING APPROXIMATELY 3.1 ACRES

City Clerk Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 3.1 ACRES GENERALLY LOCATED ON THE WEST SIDE OF EXECUTIVE BOULEVARD, SOUTH OF COUNTY ROAD 44, LYING IN SECTION 29, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, FROM COUNTY LM (LIGHT INDUSTRIAL) TO CITY M-1 (INDUSTRIAL); AND PROVIDING AN EFFECTIVE DATE. (Service Electric Company)

Commissioner Christian moved to adopt the ordinance and Commissioner Dennison seconded the motion.

Mayor Knowles requested comments from the Commission and audience. There were none.

The roll call vote was:

Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the ordinance.

FIRST READING OF AN ORDINANCE AMENDING THE CITY OF LEESBURG POLICE OFFICERS' PENSION TRUST FUND

Commissioner Christian introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

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AN ORDINANCE OF THE CITY OF LEESBURG, AMENDING CHAPTER 17, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' RETIREMENT FUND, OF THE CODE OF ORDINANCES OF THE CITY OF LEESBURG; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 5, CONTRIBUTIONS; AMENDING SECTION 15, MAXIMUM PENSION; AMENDING SECTION 26, PRIOR POLICE SERVICE; AMENDING SECTION 28, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Mayor Knowles requested comments from the Commission and the audience.

ICM Sharp stated this item and the following item with regard to the general employees' pension plan are both basically housekeeping items to conform the City pension plans to recent changes in the Florida Statutes. He stated there are no other substitute changes.

FIRST READING OF AN ORDINANCE AMENDING THE CITY OF LEESBURG RETIREMENT PLAN FOR GENERAL EMPLOYEES

Commissioner Polk introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FURTHER AMENDING THE CITY OF LEESBURG RETIREMENT PLAN FOR GENERAL EMPLOYEES, ADOPTED PURSUANT TO ORDINANCE NO. 03-57, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 14, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE

Mayor Knowles requested comments from the Commission and the audience. There were none.

FIRST READING OF AN ORDINANCE ADOPTING AMENDMENTS TO ORDINANCE NO: 13-09

Commissioner Polk introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, ADOPTING AMENDMENTS TO ORDINANCE NO: 13-09 AN INTERLOCAL SERVICE BOUNDARY AGREEMENT AMONG LEESBURG, LAKE COUNTY, THE CITY OF GROVELAND, THE CITY OF MASCOTTE, THE CITY OF CLERMONT, THE CITY OF

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MINNEOLA, AND THE TOWN OF HOWEY IN THE HILLS;
REPEALING CONFLICTING ORDINANCES; PROVIDING A
SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Christian asked if this was the same agreement as the last one with the Scales family.

Community Development Director (CDD) Bill Wiley stated yes, Leesburg was the first municipality to adopt the agreement and then some changes were received.

FIRST READING OF AN ORDINANCE AMENDING THE FISCAL YEAR 2012-13 BUDGET FOR THE THIRD QUARTER

Commissioner Polk introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, AMENDING THE FISCAL YEAR 2012-13
BUDGET FOR THE GENERAL AND CAPITAL PROJECTS FUNDS
FOR THE THIRD QUARTER; AND PROVIDING AN EFFECTIVE
DATE

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Christian asked if the fire training funds for Stormwater, Water and Wastewater will not be transferred but be contracted out.

Budget Manager (BM) Brandy McDaniel stated yes; Fire was originally going to provide the training but now it will be contracted out.

Commissioner Hurley asked if this is for the confined space training.

ICM Sharp stated yes, this was originally funding in the budget to provide overtime for the firefighters confined space training and budget adjustments have been made.

Interim Public Works Director (IPWD) DC Maudlin stated this training is actually to train Public Works staff in confined space rescue. There are a number of firefighters who have been on call when Stormwater or Wastewater staff is in confined space areas and now staff will be trained to have the initial rescue capabilities. He stated this will give staff the capability of doing rescue training or rescue operations without committing overtime from the firefighters.

Commissioner Polk asked if speaking of manholes or lift stations.

IPWD Maudlin stated for all confined spaces. Currently if something goes wrong and an evacuation is needed staff has to wait for the Fire Department's arrival. With staff

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already on site, properly trained to do the evacuations, they will not need to call for help unless EMS personnel are needed.

Commissioner Christian asked if OSHA recommends training Wastewater staff and if trained and something tragic does happen will the City be on the hook liability wise. He also asked if staff will have the needed equipment on site to pull someone out.

IPWD Maudlin stated staff will be trained to OSHA standards, certified and required yearly certifications. He stated \$18,000 of the \$34,000 is set aside for the training and to purchase the equipment needed that is not transferred from Fire.

Commissioner Hurley stated so Firemen trained to rescue are now going to train staff in the Water Department to do the rescuing but if anything goes wrong they will still call the Fire Department to come rescue them.

IPWD Maudlin stated the Fire Department has a requirement of a six man rescue team, essentially scattered throughout the City, but they have to be trained also. He stated, in fact, their training standard is higher than the OSHA training standard. He stated the whole thing is done cheaper and in his estimation be quicker as trained staff will be onsite.

Commissioner Hurley asked why a water employee would be better at rescue than a Fireman.

Fire Chief Kevin Bowman stated initially they had trained fire fighters in confined space technical rescue; however, through the years as the overtime budget and staff have been reduced, the City has lost its trained staff. The Department has not been able to go out and do the training in the last year so looked at putting some money towards doing quarterly trainings. He stated with the ladder truck crew, which is the backbone of the technical rescue, when those units are burned out most of the skilled staff is not there. Some team members who were not comfortable asked to be removed and the Chief stated he has tried to recruit staff but it cost money to send them to school and there is no guarantee they will stay long term. Looked at different options and met with Public Works, Gas and Electric who are the stakeholders with the actual staff in the confined spaces or trenches, and asked what if staff received the necessary training. The equipment would be divided to give each Department what they need to have on scene and as always if a problem arises, staff can call for EMS. He stated this change will save about \$50,000 for the City.

Commissioner Hurley asked FC Bowman if he feels comfortable in doing this change.

FC Bowman stated yes and the agreement has been signed by Fire, Public Works, Gas and Electric.

Commissioner Hurley asked IPWD Maudlin his feelings on this.

IPWD Maudlin stated he thinks this is a good idea. He stated one challenges his staff faces is having to schedule repairs when the Fire Department is available and sometimes it means waiting about two weeks. Should something happen to come up with the Fire

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Department on the scheduled day, staff may have to wait again so being able to have control over the scheduling in house is a big improvement for them.

Commissioner Hurley stated he is concerned about the liability as with confined spaces anything could happen. He understands saving \$50,000 but would rather spend \$60,000 to have it done right where everyone feels good and the liability is reduced down.

FC Bowman stated all OSHA requirements for training will be followed and staff will be certified and have all the proper equipment.

Allen Shaffer, Professional Firefighter, stated he just wanted to make sure he heard correctly, that rescue services are going to be taken out of Fire and put in Public Works and their staff will be trained to rescue injured people out of confined spaces.

FC Bowman stated staff that are in the confined spaces will have the harnesses on and be treated if a medical condition incurs.

Firefighter Shaffer asked if the person at the bottom of a twelve foot hole with a femur fracture will staff from Public Works be able to properly take care of that person.

FC Bowman stated the Fire Department will override the extraction from the hole.

Commissioner Christian asked if Public Works staff will pull them out of hole no matter what is wrong with them and then call 911.

FC Bowman stated EMS will probably already be waiting for them with their equipment set up by the time staff reaches the top of the hole.

Commissioner Polk stated he thinks it is actually better for the Public Works, Gas, and Electric staff to have this training no matter what happens even if they do have to call the Fire Department.

Firefighter Shaffer stated he agrees this is good training for those staff and feels them having the knowledge also makes the team stronger. He stated his concern is for the guy who is lying at the bottom of the hole with an angulated femur fracture and if not treated properly he could bleed to death even before they get him out of the hole. He stated he just wants to make sure everyone understands this is one of the things that could happen by having people who are not medically trained trying to do rescues.

Commissioner Dennison asked Chief Bowman if he would like to respond.

FC Bowman stated obviously Emergency Medical Services needs to be done properly. He stated if looking at the OSHA requirements, it does not say Fire is the only one to be trained. He reiterated Fire will also be trained along with Public Works, Gas, and Electric to the OSHA standards and will be meeting national standards.

Commissioner Hurley asked how much equipment is being sent over and if the Fire Department will be suffering from not having the equipment. FC Bowman stated

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probably over \$100,000 worth and there is enough specialized equipment to use for the technical rescues.

Commissioner Christian stated currently staff calls the Fire Department when they have a confined space on Wednesday at 9:00 a.m. and Fire is to staff.

FC Bowman stated the Department has to staff at least six technicians and should the City, god forbid, have an incident, the Department may have to draw firefighters from all four stations to take care of that one incident.

Commissioner Christian stated so there are Firemen on overtime standing at the confined space while staff is doing their excavation or whatever.

FC Bowman stated they are available on duty at the fire station and if no injury occurs they call when completed and send folks home.

Commissioner Christian stated with the new training there will trained staff, by OSHA standards, on site in case of emergency opposed to currently having to call 911 and wait for the firemen to leave the station. FC Bowman stated yes.

Commissioner Polk stated he thinks this is a good idea for training.

Firefighter Shaffer stated he understands the level of training is a lesser level than what the firefighters receive. He does not believe, even with the level of training the firefighters are subjected to, which is forty hours of training, makes an operator or a technician in confined space or trenching rescue. This training does not teach how to secure and deal with a patient with a angulated femur fracture, so if not trained to that standard how are they going to take care of the guy at the bottom of the hole.

Commissioner Polk asked Mr. Shaffer if he is speaking for the union or personally because the Chief has already gave the recommendation.

Firefighter Shaffer stated he is speaking for the fifty-four fire fighters in the department, because now with the equipment gone staff does not have the means to take care of the public.

Commissioner Polk stated the Chief has stated the Department will have enough equipment to handle any situation. Firefighter Shaffer stated very well sir, thank you.

ADOPTED RESOLUTION 9236 AUTHORIZING EXECUTION OF AN AGREEMENT WITH CG POWER SYSTEMS USA, INC.

Commissioner Christian introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
WITH CG POWER SYSTEMS USA, INC. FOR PURCHASE OF A
SUBSTATION CLASS POWER TRANSFORMER TO BE INSTALLED

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AT THE CENTER STREET SUBSTATION NOT TO EXCEED
\$680,000.00

Commissioner Christian moved to adopt the resolution and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Christian stated this one was purchased 1980 and asked how long do they normally last.

Deputy Director of Electric (DDE) Patrick Foster stated when the City took over the substations from Progress Energy in 1980 all transformers were replaced and they are aging at the same rate. A study was completed in 2010 looking at all transformers at the City substations and the health of the transformers. These transformers and substations are major parts of our City so if there is a failure the City could potentially lose major sections at one time. He stated as part of study Dow and Associates recommended in what order and what transformers needed to be replaced. Obviously, the City cannot afford to replace all the transformers at one time and the usual life span is forty years. This particular transformer has a severe load tap changer issue and when DDE Foster and Dave Thomas looked at transformer it was decided this one needs to be replaced. DDE Foster stated staff is diligently making changes and repairs to our system to increase reliability to our customers.

Commissioner Polk asked if there is any value to the old transformer.

DDE Foster stated yes, it will be salvaged and the money will go back into the budget. These funds have been budgeted and are not an extra item added in. He stated this is the third one to be replaced in the series of eleven transformers.

Commissioner Dennison asked if there is any reason why the City went with CG Power Systems instead of Virginia Transformer.

DDE Foster stated we charged them with staying with these manufacturers to make sure their factories are up to speed. This involves a physical visit to the factory for inspection of all their processes to produce this transformer.

Commissioner Dennison asked if there is any reason why CG Power is not giving the City a certificate or statement of experience.

DDE Foster stated Purchasing reviews those types of items, he does not know. He stated he does know City bought its last transformer from CG. He stated CG produces many transformers and he is not worried about their experience.

Commissioner Hurley stated if the City waits another couple years then there will be an increase in price again and DDE Foster replied absolutely.

Commissioner Polk asked if the price includes all set up.

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DDE Foster stated the cost is the just the transformer itself, staff will have to do some piece work internally. The Vendor will bring the transformer and set it on the pad.

Bill Yandell, resident, stated he has no problem with replacing transformers, but does have problem when he read comments such as “This list is maintained based on deficiencies in their production quality, including substandard cleanliness in their testing and tanking areas”. He stated this is libelous. He stated consulting groups every day come to see him and to be on their list of vendors he must pay the piper, so if he wants to pay them twenty percent of his salary or product, he gets to be one of their a prime vendors. Mr. Yandell stated he does not know that this is the case here but knows Virginia Transformer has to adhere to European standards which are much higher than our standards; they are a quality company. He stated looking at the cost differential of about \$50,000; this money could go a long way with Kids Korner instead of budgeting towards transformers. He believes the Commission has the right to see other company’s bids and have as much information as possible which ought to be with every single item approved. Mr. Yandell asked the Commission to table this item and look at this other company. He stated he is concerned about the money the City is spending and the big price difference between CG Power and the Virginia Company; all credentials need to be reviewed.

Carolyn VanDyken, resident, stated when talking about rate hikes the City needs to look at all avenues of ways to save money which includes recommendations on transformer companies. She asked since this was brought to bid why the City is not looking at the lowest bidder. She stated to remember the City got into the GE contract with smart grid technology based on a recommendation.

Commissioner Dennison asked if she is reading this correctly the City is looking at about an \$18,000 difference not \$50,000. ICM Sharp stated the difference is between \$628,000 and \$680,000.

Purchasing Manager (PM) Mike Thornton stated the full bid tabulation was included in the bid packet. All bid prices as well as the total cost of ownership for all transformers was looked at for the evaluation process. He stated CG Power was \$756,000 and Virginia Transformer was \$738,000 and as far as the approved manufacturer the City does use consultants to maintain and improve manufacturers. Virginia Transformer is not on their list because of the reasons stated in the memo. He stated obviously the City of Leesburg cannot go out to visit every substation transformer manufacturer in the United States.

Commissioner Dennison stated if going to bid and accept a bid the City should know what the vendor quality procedures are.

PM Thornton stated staff is relying on the City’s consultant engineer, Booth and Associates, to provide that information.

Commissioner Hurley stated he understands the money and the critical times the City is in but he is not going to become an electrician to figure all this out; staff is paid to do this. He stated when staff makes a recommendation he trusts he is getting his monies worth with expertise in that field. Commissioner Hurley stated he understand the cost

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concerns but if this is best say so and if not then tell the Commission what is the best avenue to follow.

PM Thornton stated he agrees and like stated the City contracts with a consultant engineer to provide their expertise.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the resolution.

ADOPTED RESOLUTION 9237 AUTHORIZING EXECUTION OF AN ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY GOVERNMENT AND THE CITY OF LEESBURG FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP1)

Commissioner Christian introduced the resolution to be read by title only. CC Richardson read the resolution by title only, as follows:

RESOLUTION AUTHORIZING EXECUTION OF AN ADDENDUM TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY GOVERNMENT AND THE CITY OF LEESBURG FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP1); AND PROVIDING AN EFFECTIVE DATE.

Commissioner Christian moved to adopt the resolution and Commissioner Hurley seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Polk asked if this is to buy one piece of property already known about or just to buy a lot.

Housing and Economic Director (HED) Ken Thomas stated the City does not have a piece of property right now. Four or five properties have been suggested which meet the criteria and if staff can negotiate with the bank, because it has to be a foreclosed property, the City can sell it to a first time home buyer or rent it out.

Commissioner Dennison asked if the statement should read a “minimum of one” rather than a maximum.

HED Thomas stated yes, it should be a minimum, as the County only requires the City to purchase one.

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Commissioner Dennison moved to amend the word maximum to minimum and Commissioner Polk seconded the motion.

The roll call vote on the amendment was:

Commissioner Dennison	Yes
Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the amendment.

There were no public comments.

The roll call vote on motion as amended was:

Commissioner Christian	Yes
Commissioner Hurley	Yes
Commissioner Polk	Yes
Commissioner Dennison	Yes
Mayor Knowles	Yes

Five yeas, no nays, the Commission adopted the resolution.

ADOPTED RESOLUTION 9238 AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AND SUBMIT THE CERTIFICATION OF TAXABLE VALUE FOR FISCAL YEAR 2013-14 TO THE LAKE COUNTY PROPERTY APPRAISER

Mayor Knowles read the resolution by title only, as follows:

A RESOLUTION OF THE CITY OF LEESBURG, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE AND SUBMIT THE CERTIFICATE OF TAXABLE VALUE FOR FISCAL YEAR 2013-14 TO THE LAKE COUNTY PROPERTY APPRAISER; AND PROVIDING AN EFFECTIVE DATE

ICM Sharp stated it is staff's recommendation of keeping the millage rate at its present value of 4.3179.

Commissioner Dennison moved to adopt the resolution and Commissioner Polk seconded the motion.

Mayor Knowles requested comments from the Commission and the audience.

Commissioner Christian asked ICM Sharp if between now and the end of the budget does he see any issues maxing the City out at 4.3179.

ICM Sharp stated the budget presented is the draft budget for Fiscal Year 2014 and the review assumes 4.3179 as the millage rate which will generate slightly less than \$14,000.

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He stated this maintain a reasonably healthy fund balance for the general fund for 2014 and keeps the fund balance above requirements for a minimum fund balance.

Commissioner Hurley stated he sees the City getting stuck and have not even considered the roll back rate. He stated many cities around Leesburg have increased some of their revenues to invest in themselves and move forward, but all Leesburg is trying to do is figure out how to save every dime and squeak by. He stated Leesburg is taking a back seat to smaller communities moving forward and he does not agree with it.

Commissioner Christian stated he wants the public to understand keeping the millage rate where it is right now, there will be no new projects or new community ventures. He stated between now and October he would love to hear the community's input as to what projects they would like to see completed next year.

Commissioner Polk stated he thinks private enterprise runs this county and Leesburg has priced our enterprise out from coming in and will not have to worry about tax rates because there will be no one here to pay taxes. He stated private enterprise has already started to build along Highway 27. He stated raising tax rates and putting the burden on the people who cannot afford to pay them now is not the answer. He stated he thinks leaving the tax rate as it is could possibly encourage people to come to the City of Leesburg.

Commissioner Hurley stated it is great, as a politician, to say never going to raise taxes but at the end of the day if our town looks like the arm pit of Lake County, people are not going to bring their business here. Leesburg needs to decide what level of service it wants to provide to its citizens. He stated he had to call IPWD Maudlin to find out how to get the grass mowed down the medians because people cannot see across them. It sounds good to say every time something comes across to just cut, cut, cut but at the end of the day we, the Commissioners, keep getting calls from citizens saying how nasty and dirty the City looks. Commissioner Hurley stated he is worried.

The roll call vote was:

Commissioner Polk	Yes
Commissioner Dennison	Yes
Commissioner Christian	No
Commissioner Hurley	No
Mayor Knowles	Yes

Three yeas, two nays, the Commission adopted the resolution.

INFORMATIONAL REPORTS:

Miscellaneous Accounts Receivable Customers with City Attorney as of May 31, 2013
Expected Write-offs as of May 31, 2013
Monthly Financial Reports as of May 31, 2013
City Manager Contingency Budget as of May 31, 2013

CITY ATTORNEY ITEMS: None

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CITY MANAGER ITEMS:

ICM Sharp stated the Commission needs to designate a voting delegate for the upcoming Florida League of Cities conference. He stated as far as he knows the only Commissioner who will be attending is Commissioner Christian. Commissioner Polk made a motion to nominate Commissioner Christian as Leesburg's voting delegate and Commissioner Dennison seconded the motion and it passed unanimously.

ICM Sharp stated the City has been approached by the Boat Club and the Partnership offering a proposal to combine the Light Up Leesburg Christmas time celebration with their lighted boat parade. He stated this would involve moving the traditional light up Leesburg from the Saturday after Thanksgiving to the first Saturday in December, but would make for a nice overall event at Venetian Gardens. All Commissioners were in agreement with this.

ICM Sharp stated he met with the Project Manager from GE last week who has marketing responsibilities for the smart grid system. ICM Sharp stated he expressed the City's views and concerns on the scheduling, delays, and cost. He stated they will meet again within the next two weeks for continued discussions and negotiations looking primarily as our ongoing cost of hosting services.

PUBLIC COMMENTS:

Bill Yandell, resident, asked the Commission to release the General Electric contract under the Freedom of Information Act and not keep the information confidential. He stated every citizen who uses the Leesburg electric system has a right to know what is in the contract.

Michelle Burnett, Community Representative Liaison with the Florida Government Utility Association, stated they work with the inter-local governments and gave a brief overview of their requirements, goals, relationships and education programs. She stated she is excited about her role in Lake County.

Henry Couture stated he has concerns about the City not moving ahead and stated increasing taxes is not solving any problems. He stated he would like to see the citizens join the City, maybe on a Saturday, to develop a master plan for the City on how to move forward.

Bill Jarvis, business owner, stated for the first time in thirteen years someone called him from the Fire Department to inspect his building. He stated the City had five major fires and they all burnt to the ground. He asked if the City is running a Fire Department or an EMS with the amount of calls for vehicle accidents, slips, or fires; he has not seen anyone arrive at the Emergency Room on the top of a fire truck. The large trucks should not be used when a smaller truck will do. If Leesburg is going to have a Fire Department then have a Fire Department and quit wasting time on things that are not necessary.

ROLL CALL:

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Commissioner Hurley stated Leesburg having a Fire Department is an insurance policy and at some point hopefully the Fire Department will explain what they do. Lake County has a \$198.00 fire assessment fee Leesburg does not have. He stated when he starts talking about looking to add more, he is not out to just out trying to raise taxes. He stated he loves to see people moving to Leesburg but his worry is they are not going to drive out to Lake Square Mall for the movies, they are going to go to Brownwood, because they have a nice theater and activity because the Villages has built a nice place to attract people. Commissioner Hurley stated when he moved to Leesburg, Leesburg was the best thing in Lake County; it had everything going on, but not now. He said he thinks Leesburg needs to be number one and it is going to require an initial investment because the path it is on now is not a forward progress path. Commissioner Hurley stated he will be happy to sit on any committees, Leesburg has some brilliant minds, we just have to put our heads together and come up with something.

Commissioner Christian stated one of his biggest concerns is the CRA 441/27 as it makes his mind wonder and hurt every time he thinks about the fact the City borrowed seventeen million dollars, spent about ten million and is basically paying the loan with money from the bank. He stated he thinks the CRA is a way of taking the tax out of a particular area and reinvesting it into the area to increase the tax value. He encourages the Commission to develop a plan before the next five years to have something done except the fourteen million dollar debt and some buried underground cable. He stated Leesburg needs to be more creative. He stated he hopes there is money in the budget for a vision session on master planning for the Venetian Gardens area. He hears people talking about quality of life and hopes this is not just a phrase; he would like to see this put into action. Commissioner Christian thanked Mr. Couture for his comments and stated meeting with the business leaders, who have some bright ideas, is a good way to see what can be done to improve 441/27. He stated he would love to see Leesburg improved and it may need to offer some economic incentives to get people and business to come to Leesburg. Commissioner Christian stated the City cannot expect to keep its employees if it does not invest in them, so thinks this should also be looked into by the Commission. Commissioner Christian stated if you make a left hand turn on Canal Street, the trees planted years ago look terrible. He stated he will bring this up at every meeting roll call until staff starts trimming the trees on Canal Street.

Commissioner Dennison stated Kids Korner volunteers are working hard and can use as much help as they can get. The current Kids Korner is getting a little shaky and we do not want any accidents, so any organizations, businesses or service groups who can help would be appreciated. Also, the Boys and Girls Club of Lake and Sumter County is using the City's facilities this summer at Rogers Park and Commissioner Dennison said she was able to stop there the end of last week to visit them. They have an unbelievable program, not only fun and games, but also have training; "How to say no to gangs"; teaching art, and have the ability to use the pool. The Club said they would like to stay in Leesburg and Commissioner Dennison stated she has already spoken to ICM Sharp about looking for some property or an existing building they can remodel or build as they are will to do either to stay in Leesburg. She said they are doing fund raisers and do not want to be handed anything because even the kids, as part of their giving back to the community, are out there every day cleaning up. She stated when school starts again they will have over one hundred kids everyday coming to the Club, so thinks this is something the City could do for them. Commissioner Dennison stated she thinks an economic think

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tank is an excellent idea and would like to get together with business leaders for a full day workshop or whatever it takes. Commissioner Dennison said about raising taxes, as you remember she was fighting last year not to raise taxes, so now that she is on the other side of the table, she is still against raising taxes. This is not to stop the progress in Leesburg, it is to make sure the people can stay here and enjoy their lives. She stated the City would have had \$210,000 over the next three years if it had not approved one of the highest bidders on one of the City's contracts recently. This \$210,000 could have gone toward economic development but the City had to take a local vender versus an outside vendor. Commissioner Dennison stated she voted against it and still feels that money could have been used for economic development.

Commissioner Polk stated Leesburg is a great City to live in but raising taxes will not make it better. The economic development, Mr. Couture is talking about, is just the item the City needs to have; this was actually planned before Jay Evans made his exit and it kind of feel off the table and is at a standstill until the new City Manager is hired. He stated the City is planning to do several things in Leesburg like how to redevelop the Venetian Gardens area, how to help the business people, and how to bring more businesses to Leesburg. He stated the City is very fortunate to have Electric, Gas, Water, and Wastewater utilities, where it does not have to worry about tax revenues as much as other cities that do not have all these utilities. Commissioner Polk stated the City could have raised taxes or raised utility rates but did not. He stated the Commission has two new Commissioners with great ideas and Leesburg is going to turn out fine.

Commissioner Polk stated he, ED Kalv, and DDE Foster attended the FEMA/FMPA conference last week in Fort Myers and spent three days listening to all the ways to make this country and Florida a better place on how home grown utilities are the answer. He stated to Mr. Yandell, the City has made some mistakes with smart grid, but as a group will have to fix these mistakes, and he promised this will happen.

Commissioner Polk and ED Kalv presented to the City the FMPA Safety Award. **ED Kalv** stated a lot of organizations talk about safety and the necessity for training and instilling safe work practices as employees learn their trade and skills. He stated Leesburg's apprentice program is second to none. ED Kalv stated staff always expects the safety award but the day it is not received will be a very sad day. **Commissioner Polk** gave the plaque to ED Kalv and asked if this will be hung in the Joe T building and **ED Kalv** replied yes. **Commissioner Polk** stated at the conference meeting, believe it or not, the organization elected him as the Chairman of the FMPA Liaison Board and Mike Perry, from Fort Pierce as the Vice-Chair. The Commission congratulated Commissioner Polk. Commissioner Polk stated there is good representation in Leesburg to try and keep its rates down as much as possible so it can buy these large transformers and ticket items. Commissioner Polk thanked the City for opportunity to go and represent Leesburg.

Mayor Knowles stated the City has the pleasure of enjoying the prosperity coming to Leesburg every once in a while and the Commission has the difficulty of making the hard votes needed. The City has preserved its electric utility which is very critical. Mayor Knowles stated, and Commissioner Christian can verify, that the Florida League of Cities always asks what various things Leesburg is doing. He stated the City does not have cable vision, but has all the other services. The City supplies fiber optics to every City in Lake County and the schools, and has done some very innovative things. Mayor Knowles stated right now the City is constrained; it has not been doing a whole lot to make things happen in Leesburg because our budget is virtually small and the Commission does not

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want to increase the tax burden on our citizens. The City does not want to increase electric rates on its citizens, but does have to keep electric rates in an area where it remains profitable to do transfers and fulfill the bond covenants. Mayor Knowles stated next year he hopes to say the five percent predicted was not necessary and was eliminated. He stated the Commissioner is going to tell the public all the tough things out there right now because Leesburg wants to be an open government for its citizens.

ADJOURN:

Commissioner Christian moved to adjourn the meeting. The meeting adjourned at 7:19 p.m.

Mayor

ATTEST:

Betty M. Richardson
City Clerk

J. Andi Purvis
Recorder