MINUTES OF A REGULAR MEETING OF THE FORT PIERCE UTILITIES AUTHORITY, TUESDAY, APRIL 4, 2023, 4:00 P.M., CITY COMMISSION CHAMBERS.

Members Present: Chairman Kristina Gibbons, Vice Chair Barbara Bennett; Deputy Secretary Frank H. Fee, IV (via telephone); and Mayor Linda Hudson.

Member Not Present: Secretary Larry Lammers

Others present: Javier Cisneros, Director of Utilities; Barbara Mika, Director of Finance and Administrative Services; Daniel Retherford, Director of Utility Support Services; Bo Hutchinson, Director of Water/Wastewater Systems, Craig Crawford, Director of Electric & Gas Systems, and Jody Finklea, Special Counsel to FPUA Board.

The meeting was called to order by Madam Chair Kristina Gibbons.

Opening Prayer was by Christopher Fogel, Carr, Riggs, & Ingram LLC.

The Pledge of Allegiance was recited.

The roll was called and a quorum declared.

ITEM A: SET THE AGENDA

A motion was made by Mayor Hudson, seconded by Mrs. Bennett, and unanimously carried to approve the set agenda with walk-on item.

ITEM B: APPROVAL OF MINUTES

A motion was made by Mayor Hudson, seconded by Mr. Fee, and unanimously carried to approve the Minutes of the Regular Meeting of March 21, 2023.

ITEM C: COMMENTS FROM THE PUBLIC

ITEM D: CONSENT AGENDA

A motion was made by Mayor Hudson, seconded by Mrs. Bennett, and unanimously carried to approve the Consent Agenda.

ITEM E: RECOGNITION OF EXCELLENCE

ITEM F: OLD BUSINESS

ITEM G: NEW BUSINESS

1. Fred Gaddis presented Bid No. 23-51: Approve the award of Bid and Agreement for the Unit Price Contract for Installation of Gas Underground Utilities with Primoris Distribution Services, Inc., of Dallas, Texas, in an amount not to exceed $500,000 annually. The initial term of this Contract will be from May 1, 2023 through April 30, 2024, with four one-year renewal options, contingent on receiving the required Certificate(s) of Insurance.

A motion was made by Mayor Hudson, seconded by Mr. Fee, and unanimously carried to award the Bid and Agreement for the Unite Price Contract for Installation of Gas Underground Utilities with Primoris Distribution Services, Inc, in an amount not to exceed $500,000 annually.
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2. Fred Gaddis presented ITB No. 22-44: Approve the Award of Bid for the purchase of Pipe and Valves for Indrio Road Gas Main Expansion with General Utility Pipe Supply, Inc. of Trussville, Alabama, in an amount not to exceed $566,860.00.

A motion was made by Mrs. Bennett, seconded by Mayor Hudson, and unanimously carried to award bid for the purchase of pipe and vales for Indrio Road Gas Main Expansion with General Utility Pipe Supply, Inc., in an amount not to exceed $566,860.00.
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3. Barbara Mika presented the Status Report on Electric Power Cost Adjustment (PCA) for February 2023.

A motion was made by Mayor Hudson, seconded by Mr. Fee, and unanimously carried to lower the PCA by $5 for the month of May.
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4. Javier Cisneros presented the Employment Agreement for Caroline A. Valentin as Board Attorney.

A motion was made by Mr. Fee, seconded by Mayor Hudson, and unanimously carried to approve the Employment Agreement with Caroline A. Valentin for Board Attorney.

ITEM H: AWARD OF BID

ITEM I: RESOLUTIONS

ITEM J: DIRECTOR

Mr. Cisneros said Mr. Retherford and I attended the Legislative Rally in Tallahassee last week. We met with Trabulsy, Overdorf, and Grall. We had very good meetings with them. We provided them an update on the status of the Mainland Water Reclamation Facility project. We were there specifically to address Senate Bill 1830 and House Bill 1331. These bills would effectively reduce by some kind of calculation the transfer to the City from the Utility and it would govern how that transfer is done. It also talked about separating the Utility from the City and into a utility board that would require some oversight from the Public Service Commission. The first three items won't necessarily affect FPUA, as we are already defined by charter, so is our transfer to the City, and we are already an Authority. The most important part would be the additional oversight by the Public Service Commission, which would affect how we operate. It could be six months for PCA approval, which would make it very difficult for staff to manage and the Board to manage. Last night the City approved the Annual Comprehensive Financial Report so we will be issuing the $6.758M transfer to the City within the next 60 days or so. This is part of our Charter, based on the 6% transfer rate of the revenue. At the next Board meeting, we will bring a contract for the strategic planning session with Hometown Connections. They were the lowest bidder. They do work with Mark McCain. We will update the schedule, as we will not be able to kick off on April 26th. Next item, even though gas has been under $2, we still have not had any fixed purchases that have been executed. The 2024 – 2025 average is $3.73, that is still above the threshold that was approved by the Executive Committee for additional purchases. Last but not least, congratulations to Caroline, I look forward to working with her. I could not be more thankful to Jody and Dan for the time that they filled in. They have been absolutely great to work with. Very thankful for all of their help.

ITEM K: ATTORNEY

Jody Finklea said just to follow up on gas prices, this has been in the Midwest and northeast which is the center for Natural Gas burned primarily. This is been the mildest winter in 100 years. The low gas prices are very much a result of that. FMPA is locked into 75% of its need of gas through March 2024 and then 50% after that for another year. The Executive Committee will be evaluating whether to increase the 50% to 75% further out on the curve and at what price we could do that. The goal at FMPA is not to win on gas prices, it is to deliver the lowest power cost to all participants as soon as possible. It has been a tremendous honor for Dan and I to work with FPUA during this opportunity for us to do so after Koby's passing. Look forward to working with Caroline. On the Legislation, it cannot be understated how difficult and how big of a change it would be to have full PSE regulation. The PSE will have would have control of the form of bill, the form of request for service, the form of your cut off notice. You will have to submit all of that and get it approved. Any change that you would want to do you have to

submit to the PSE and have it approved. It is a short week in the Legislature because of the Passover and Easter holiday. No one will be in session in Tallahassee Thursday and Friday. Meetings to follow next Monday. Truly appreciative of the effort everyone made to point out the bad policy.

ITEM L: COMMENTS FROM BOARD MEMBERS

Mayor Hudson said thank you Jody for taking the time to drive over here. I know that takes out of your busy schedule. I really appreciate that. I also wanted to clarify, the transfer that we receive is really a very moderate transfer compared to some of the other cities. In the process of talking about this bill with Legislators and finding out what other cities have, our six percent is very modest number. And the number of customers outside the city is not a huge number. We did pass a resolution last night, the City of Fort Pierce, opposing those bills. Again, we appreciate all of your help and I'm sure you are going to be a help to our Board Attorney.

Mrs. Bennett said thank you for all that you have done.

Mrs. Gibbons said I can't thank you enough Jody. And thank you to Caroline for going through this process and hopefully joining us April 24th. It is exciting.

Madam Chair Gibbons said meeting adjourned.

ITEM M: ADJOURN

There being no further business, the meeting was adjourned at 5:01 pm.

ATTEST:

SECRETARY

CHAIRMAN

Note: These minutes are not verbatim, only important issues and motions are reproduced in writing for the benefit of the Fort Pierce Utilities Authority and Board Members. The recording itself is the official record for the meeting.