

**CITY OF WINTER PARK  
CITY COMMISSION SPECIAL MEETING  
September 12, 2003**

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth Kip Marchman at 12:00 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

PRESENT: Mayor Kenneth Kip Marchman, John Eckbert, Doug Metcalf and Barbara DeVane; City Attorney Brent McCaghren; City Manager James Williams and City Clerk Cindy Bonham. Commissioner Doug Storer was absent.

Mayor Marchman spoke of the significance of the result of the bond referendum and the City's quest for more reliable power and adequate controls that would ensure accountability and performance.

Progress Energy representative Rodney Gaddy respectful of the vote taken on Tuesday, stated that Progress Energy (PE) has absolutely no intention to challenge the vote, bring in any lawsuits against the City, or go to the Federal Energy Regulatory Committee over stranded costs. He said both parties should jointly consider going to the Florida Public Service Commission to determine the territorial agreement. Mr. Gaddy spoke that Progress Energy would like to continue to serve the citizens of Winter Park and as PE's representative, is willing to take the Commission's direction as to what should be done. He continued that it is PE's intent to try and improve the system, but wanted the Commission to be in agreement with all of the things PE does. He was willing to elaborate on the devices that PE would like to install in the City.

Assistant City Manager Randy Knight said staff recommends that the Commission's direction should be that staff continue to work with the City's consultants and PE to examine the overall process. He said staff will return within the next 2-3 weeks with a report on how to move forward with this issue. In addition, he suggested that a Commissioner be selected to work with staff throughout the process.

Mayor Marchman acknowledged that selecting a Commissioner would be a good idea. Commissioner DeVane concurred with Mayor Marchman and added that each Commissioner should be given the opportunity to individually meet with staff to express their concerns and issues. She suggested a progress report be provided at the September 22nd meeting. Commissioner Eckbert elaborated on how staff was in the right direction with their recommendation. He asked for the opportunity to explore the steps that should be taken in light of PE's interest to cooperate with the City. Commissioner Metcalf agreed with fellow Commissioners but noted that in the end Winter Park wants ownership of this system. He said that it would not be a good idea for the future to extend the franchise under any terms. Lastly, he asked that staff begin working on the best deal for the citizens of Winter Park and the most cooperation we can gain from PE. He said negotiations should occur but not to rewrite another 30-year franchise agreement. Mayor Marchman said that the good faith negotiations should continue but a short time frame needs to be established. In addition, he asked that PE respond to proposals if and when that point is reached.

Mr. Knight commented that it may be difficult to meet the September 22nd deadline due to scheduling conflicts, but staff will do as much as possible in the meantime.

Mayor Marchman asked for public comments.

Don Jung, 713 Grandville Drive, commended Commissioners for their time and effort with this issue. He asked not to neglect other potential power providers from the proposal process and that the City set the terms and conditions that need to be met.

Nancy Shutts, 2010 Brandywine, sought clarification on whether money could be saved if mutual use agreements on substations were executed. Mayor Marchman explained how this could be a possibility.

Mayor Marchman appointed Commissioner Eckbert as the representative to work with staff during the upcoming negotiations.

Mayor Marchman adjourned the meeting at 12:10 p.m.

---

Mayor Kenneth Marchman

ATTEST:

---

City Clerk Cindy Bonham