

# City of Gainesville

*City Hall  
200 East University Avenue  
Gainesville, Florida 32601*



## **Minutes**

**Thursday, August 8, 2013**

**5:00 PM**

**Roberta Lisle Kline Conference Room**

### **Regional Utilities Committee**

*Commissioner Todd Chase, Chair  
Mayor Ed Braddy, Member  
Commissioner Lauren Poe, Member*

*Persons with disabilities who require assistance to participate in this meeting are requested to notify the Equal Opportunity Department at 334-5051 or call the TDD phone line at 334-2069 at least two business days in advance.*

**CALL TO ORDER**

*The meeting was called to order at 5:10 p.m.*

**ADOPTION OF THE AGENDA**

**Adopted as drafted.**

**APPROVAL OF MINUTES**

[130201.](#) RUC June 24, 2013 Meeting Minutes

**Attachments:** [2013.6.24 RUC Meeting Minutes](#)

**RECOMMENDATION** *Approve minutes as drafted.*

**The minutes of the June 24, 2013 RUC meeting were approved as drafted.**

**CURRENT ACTION ITEMS**

[110210.](#) Gainesville Renewable Energy Center Status Update (NB)

**Attachments:** [FINAL 2011-OCT 10 RUC Gen Planning Update.pdf](#)  
[Item # 110210- 10-10-11-Citizen Submittal 1.pdf](#)  
[Item #110210-10-10-11-Citizen Submittal 2.pdf](#)  
[Item #110210-10-10-11-Citizen Submittal 3.pdf](#)  
[Item #110210-10-10-11-Citizen Submittal 4.pdf](#)  
[Item #110210-10-10-11-Citizen Submittal 5.pdf](#)  
[Item #110210-10-10-11-Citizen Submittal 6.pdf](#)

**RECOMMENDATION** *Discuss and review legal costs associated with the arbitration process.*

**Discussion of this item centered on the status of arbitration.**

**Mr. Hunzinger gave a bit of background, and stated that mediation and arbitration are separate processes. He said that no mediation is scheduled at this time.**

**Ms. Shalley gave a status report, saying that arbitration had been filed, the parties engaged in mediation and there was no resolution. GREC filed a motion to dismiss and asked the judge to make a decision based on limited information. The arbitrator heard the matter last Thursday and found that no transfer of control had occurred. His ruling is binding.**

**Ms. Shalley further explained that GREC's counterclaim for damages is still outstanding and that they are asking for fifty million dollars in damages. She said the arbitrator wants the parties to decide if it's necessary to proceed and they will make the decision in a conference call with the arbitrator on August**

21st.

At the time of this RUC meeting, they are still waiting for the arbitrator to agree to that date. She said her office was trying to get a briefing on the August 15th City Commission agenda.

Members of the committee asked several clarifying questions about the process of arbitration and about GRU's options following the arbitrator's decision.

Ms. Shalley stated that her office would consider the available options and present them, along with her recommendation, to the full City Commission for direction.

Citizens Mac McEachern, Nathan Skop and Ray Washington spoke on the matter during Citizen Comment.

### [121029.](#)

Review of the Fuel Adjustment Policy (NB)

**Attachments:** [20130624 RUC Presentation Item 121029](#)

**RECOMMENDATION** *Discuss policy changes to the City of Gainesville Code of Ordinances, Section 27-28, Retail Fuel Adjustment.*

Discussion of this item centered on policy changes to the City of Gainesville Code of Ordinances Section 27-28, Retail Fuel Adjustment.

Ms. Shalley explained that the ordinance had not been updated in many years and needed to be updated to reflect the addition of GREC to GRU's energy mix.

The Committee and staff discussed the current language in the ordinance and Mr. Hunzinger gave some history on how the fuel adjustment has been administered in recent years.

The Committee discussed the concept of having a bandwidth around 0, possibly -5/+10 or something similar, and also to have management get City Commission approval to make any adjustments outside of the bandwidth.

Citizens Mac McEachern, Nathan Skop and Ray Washington spoke on the matter.

At this point, Committee Chair Chase passed the gavel to Mayor Braddy.

Commissioner Poe made a motion that the language of the fuel adjustment ordinance be amended to include a bandwidth and that the general manager come before the full City Commission to ask for permission to go outside the bandwidth.

The motion was seconded by Commissioner Chase.

A vote was taken on the motion, with Commissioners Chase and Poe voting aye and Mayor Braddy voting nay.

### MEMBER COMMENT

**CITIZEN COMMENT**

**NEXT MEETING DATE**

*September 12, 2013*

**ADJOURNMENT**

*The meeting was adjourned at 8:00 p.m.*