

**MINUTES OF THE JOINT EMERALD COAST UTILITIES AUTHORITY BOARD AND
THE CITY OF PENSACOLA COUNCIL MEETING HELD WEDNESDAY, JANUARY
22, 2014 AT 5:15 P.M. IN THE ECUA BOARD ROOM AT 9255 STURDEVANT
STREET, ELLYSON INDUSTRIAL PARK, PENSACOLA, FL**

ECUA Board members present: Larry Walker, Chairman
Vicki Campbell, Vice Chairman
Lois Benson
Elvin McCorvey
Dale Perkins

ECUA Counsel present: Bradley S. Odom

City Council members present: Jewel Cannada-Wynn, Chairperson
Charles Bare
Larry Johnson
Sherri Myers
Andy Terhaar
Gerald Wingate
P.C. Wu (arrived at 6:05 p.m.)

City Council members absent: Megan Pratt
Brian Spencer

City Counsel present: James Messer
Ed Steinmeyer

Others present: Stephen E. Sorrell, Executive Director
Colleen Castille, City Administrator
Greg Donovan, Airport Director

ITEM 1 – CALL TO ORDER

Chairman Walker called the special joint meeting of the Emerald Coast Utilities Authority Board and the City of Pensacola Council to order at approximately 5:13 p.m.

ITEM 2 – INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Perkins provided the invocation and led the Pledge of Allegiance.

ITEM 3 – ADOPTION OF AGENDA

A motion was made, and seconded, to adopt the agenda as presented. Motion carried 11-0.

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ITEM 4 – OWNERSHIP OF THE AIRPORT NORTH AND HAGLER WELLS

Mr. Odom provided an overview of ECUA's position relative to the ownership of the Airport North and Hagler wells, displaying documents (1981 City transfer agreement, 1981 deed and bill of sale, and original well details from 1976-Airport and 1958-Hagler) substantiating ECUA's position.

Mr. Sorrell provided an overview of the use and need of the wells, stating the two wells are critical to provide water and fire protection to the City of Pensacola.

Mr. Steinmeyer provided an overview of why the joint meeting was needed and why the City feels the properties in question are not owned by ECUA and explained the requirements of the FAA regarding Airport property, stating the City did not have the authority to deed these properties to ECUA in 1981. Mr. Steinmeyer stated that the City has offered to lease these properties to ECUA at the same terms and conditions that ECUA currently has with the Airport with regard to the Spanish Trail well.

Ms. Cannada-Wynn asked if there is any documentation that shows an exemption to these two wells as being leased. Mr. Steinmeyer responded that there is not.

Mr. Bare stated that it is pretty clear that the transfer agreement includes all property was transferred, including the two wells in question.

Ms. Myers stated that she believe ECUA owns these wells and that belief is further substantiated since ECUA has had exclusive control of the property for over 30 years, thus ECUA felt they owned it and the City felt that ECUA owned it.

Mr. Terhaar also indicated that he believes that ECUA owns the property.

Mr. Bare stated that he would like to know what rules were in place regarding the FAA in 1981.

Mr. Donovan provided an overview of the requirements of the airport with regard to the proximity to the well(s) and the taxiway areas.

In response to a question from Ms. Myers regarding the role of the FAA, Mr. Steinmeyer stated that the FAA would have to be involved in any lawsuit relative to this issue.

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It was explained that the next step towards resolving this issue would be that the issue go to mediation.

A motion was made by Mr. Bare, seconded by Ms. Benson, to send this issue to the next step of mediation. Motion carried unanimously.

ITEM 5 – OPEN FORUM

There were no comments from the audience.

ITEM 6 – ADJOURNMENT

There being no further business to come before the joint meeting of the Emerald Coast Utilities Authority Board and the City of Pensacola Council, Chairman Walker declared the meeting adjourned at approximately 6:48 p.m.

Respectfully submitted,

Stephen E. Sorrell
Executive Director

**APPROVED BY THE ECUA BOARD
IN REGULAR SESSION ON _____.**

- Without corrections/amendments.
- With corrections/amendments being: