



J. DAVENPORT, CHAIRMAN  
R. HAWES, VICE CHAIR  
L. CONRAD, SECY.-TREAS.  
J. SMITH, ASST. SECY.-TREAS.  
L. KELLY, JR., COMMISSIONER  
T. CLOUD, GENERAL COUNSEL  
J. BUNCH, GENERAL MANAGER/CEO

**AGENDA\*\***  
**REGULAR MEETING OF THE**  
**UTILITIES COMMISSION,**  
**CITY OF NEW SMYRNA BEACH, FLORIDA**  
**TO BE HELD MONDAY, APRIL 25, 2022,**  
**AT 2:00 P.M.\*\* 200 CANAL STREET, DEBERRY**  
**ROOM, 3<sup>RD</sup> FLOOR, NEW SMYRNA BEACH, FL**

(COVID PROTOCOLS – MTG. APPTS., MASKS OPTIONAL)

**Pledge / Invocation**

**ROLL CALL**

**I. Executive Session – Closed Attorney-Client Session**

**PUBLIC NOTICE**

TAKE NOTICE HEREOF THAT IN ACCORDANCE WITH SECTION 286.011(8), FLORIDA STATUTES, THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, WILL GO INTO ATTORNEY/CLIENT SESSION IMMEDIATELY AT THE BEGINNING OF THE REGULAR U.C. MEETING TO BE HELD ON MONDAY, APRIL 25, 2022. THE BELOW ATTENDEES WILL RETIRE TO THE 2<sup>ND</sup> FLOOR EXECUTIVE CONFERENCE ROOM TO CONDUCT THE CLOSED SESSION.

**ATTENDEES**

UTILITIES COMMISSIONERS (FIVE):

- 1) CHAIRMAN JAMES DAVENPORT
- 2) VICE CHAIR RICHARD HAWES
- 3) SECRETARY-TREASURER LILLIAN CONRAD
- 4) ASST. SECRETARY-TREAS. JAMES SMITH
- 5) COMMISSIONER LAWRENCE KELLY, JR.

IN ADDITION TO THE FIVE U.C. COMMISSIONERS, EXPECTED ATTENDEES TO THE ATTORNEY/CLIENT SESSION ARE:

- 6) THOMAS CLOUD, GRAY ROBINSON, P.A.
- 7) JACK KIRSCHENBAUM, GRAY ROBINSON, P.A.
- 8) FRANK MARI, BELL & ROPER, P.A.
- 9) MICHAEL ROPER, BELL & ROPER, P.A.
- 10) JOSEPH BUNCH, UCNSB GM-CEO
- 11) CERTIFIED COURT REPORTER, SOUTHERN REPORTING COMPANY

THE REGULAR U.C. MEETING WILL RECOMMENCE AFTER COMPLETION OF THE ATTORNEY-CLIENT SESSION.

THE UTILITIES COMMISSION WILL NOT TAKE ACTION IN THE ATTORNEY/CLIENT SESSION, BUT MAY TAKE ACTION CONCERNING SETTLEMENT NEGOTIATIONS AND STRATEGY RELATING TO LITIGATION EXPENDITURES IN OPEN SESSION.



J. DAVENPORT, CHAIRMAN  
R. HAWES, VICE CHAIR  
L. CONRAD, SECY.-TREAS.  
J. SMITH, ASST. SECY.-TREAS.  
L. KELLY, JR., COMMISSIONER  
T. CLOUD, GENERAL COUNSEL  
J. BUNCH, GENERAL MANAGER/CEO

**AGENDA\*\***  
**REGULAR MEETING OF THE**  
**UTILITIES COMMISSION,**  
**CITY OF NEW SMYRNA BEACH, FLORIDA**  
**TO BE HELD MONDAY, APRIL 25, 2022,**  
**AT 2:00 P.M.\*\* 200 CANAL STREET, DEBERRY**  
**ROOM, 3<sup>RD</sup> FLOOR, NEW SMYRNA BEACH, FL**

(COVID PROTOCOLS – MTG. APPTS., MASKS OPTIONAL)

**Safety Message by Brandy Keehn: Cybersecurity Paramount to Utility Industry -- FMPA “Behind the Switch” Video**

**1. Agenda Changes, Additions and Deletions**

**2. Public Participation**

**\*3. Approval of Consent Items**

- a. ✓ Minutes of Regular U.C. Meeting Held 3-28-22 (*Annotated Version*) (*U.C. and State Requirements*)
- b. ✓ Granted and Accepted Third Party Utility Easements (2) – J. Couillard (*U.C. and State Requirements*)
- c. ✓ Ratification – Supplemental Funding for Clarifloc Polymer at Wastewater Reclamation Facility-WRF (Polydyne, Inc.) – S. Heil (*U.C. and State Requirements*)
- d. ✓ Approval of Award – RFP No. 05-22 – Agent of Record for Employee Benefits (Risk Management Associates, Inc.) – E. Chavez (*U.C. and State Requirements*)
- e. ✓ Approval – Acceptance, Termination and Release of Easement Rights (2165 Turnbull Bay Rd. and 2155 Turnbull Bay Rd.) – J. Couillard (*U.C. and State Requirements*)
- f. ✓ Ratification of Budget Increase – Turnbull Bay Road Line Reconductoring Project (Pike Electric, LLC) – J. Couillard (*U.C., State, & Federal Requirements*)
- g. Project Update – Annual Contract for Gravity Sanitary Sewer Rehabilitation (BLD Services, LLC) – J. Couillard (*U.C., State, & Federal Requirements*)
- h. ✓ Award of RFP No. 11-22 – Well Assessment and Rehabilitation Services (Thompson Well & Pump, Inc.) – J. Couillard (*U.C., State, & Federal Requirements*)
- i. ✓ Award of ITB No. 13-22 – Pole and Padmount Transformers – and Request for Two-Year Purchase Orders – V. Steele (*U.C., State, & Federal Requirements*)
- j. ✓ Developers Agreement – Village Center East (Collier Luna Bella Lane, LLC) – J. Couillard (*U.C. and State Requirements*)
- k. ✓ Developers Agreement – The Palms at Venetian Bay, Phase 6 (Palms Land Holdings, LLC) – J. Couillard (*U.C. and State Requirements*)

**4. General Manager’s Report – J. Bunch**

- a. Financial Status – March 2022 – E. Chavez
- b. Quarterly Submission of Balanced Scorecard and Enterprise Metrics – for March 2022 – E. Chavez
- c. ✓ Presentation and Project Approval – SilverBlaze Customer Portal Project w/Web API’s and Nexus View (Cogsdale Corporation – *sole source vendor*) – E. Chavez



J. DAVENPORT, CHAIRMAN  
 R. HAWES, VICE CHAIR  
 L. CONRAD, SECY.-TREAS.  
 J. SMITH, ASST. SECY.-TREAS.  
 L. KELLY, JR., COMMISSIONER  
 T. CLOUD, GENERAL COUNSEL  
 J. BUNCH, GENERAL MANAGER/CEO

**AGENDA\*\***  
**REGULAR MEETING OF THE**  
**UTILITIES COMMISSION,**  
**CITY OF NEW SMYRNA BEACH, FLORIDA**  
**TO BE HELD MONDAY, MARCH 28, 2022,**  
**AT 2:00 P.M.\*\* 200 CANAL STREET, DEBERRY**  
**ROOM, 3<sup>RD</sup> FLOOR, NEW SMYRNA BEACH, FL**

(COVID PROTOCOLS – MTG. APPTS., MASKS OPTIONAL)

**5. Commission Counsel's Report – General Counsel**

**6. Old Business**

- a. ✓ Approval – Transmission Line Repairs (Static Wire) – J. Couillard and V. Steele
- b. Follow-Up Discussion – Items from Joint City/UC Workshop Held 2-24-22 – J. Bunch

**7. New Business**

- a. ✓ Approval – Modification (Increase) to Fuel and Purchased Power Cost Adjustment Clause (FPPCAC) – T. Beyrle & E. Chavez
- b. ✓ Evaluation Determination – RFP No. 12-22 – Auditing Services – E. Chavez

**8. Possible Other Business - Time for Commissioners**

- a. ✓ FMEA Annual Conference – The Breakers, Palm Beach, FL – July 12-14, 2022 – J. Bunch

✓ A Check Mark Indicates Items Which Commission Approval Has Been Requested On This Agenda  
Please Note -- Most Discussion Items Will Not Have Documentation, Will Be Listed On Agenda Only

\* Consent items to be approved as recommended or accepted as appropriate without further comments unless discussion is requested by Commissioner.

\*\* Pursuant to Section 286.0105 of the Florida Statutes, if an individual decides to appeal any decision made by the Utilities Commission, City of New Smyrna Beach, Florida, with respect to any matter considered at a meeting or a hearing, that individual will need a record of the proceedings, and will need to ensure that a verbatim record of the proceedings is made. The transcription of such a verbatim will be provided an individual at a cost to be determined by the Utilities Commission in accordance with the full cost to reproduce such transcriptions and copies.

\*\* In accordance with the American with Disabilities Act, persons needing special accommodations to participate in this proceeding should contact the individual or agency sending this notice as soon as possible but no later than two days prior to the proceeding at the address given on the notice.