



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, NOVEMBER 22, 2021,**  
**AT 3:00 P.M. 200 CANAL STREET, DEBERRY**  
**ROOM, 3<sup>RD</sup> FLOOR, NEW SMYRNA BEACH, FL**  
(COVID PROTOCOLS – MTG. APPTS., MASKS OPTIONAL)

**RESULTS OF UC MEETING**

**Pledge / Invocation / and Safety Message by Vernon Steele: Electric T&D Safety Improvements (PROVIDED A PRESENTATION DEPICTING RECENT SAFETY IMPROVEMENTS IN THE ELECTRIC DEPT. RELATING TO PREVENTION OF SLIPS, TRIPS, AND FALLS, SPRAINS AND STRAINS AND INCREASING HAZARDS RECOGNITION)**

**ROLL CALL**

1. **Agenda Changes, Additions and Deletions** (ADDITION BY G.C. CLOUD - POLE ATTACHMENT LICENSING AGREEMENT WITH LEVEL 3 COMMUNICATIONS, LLC. ADDED TO AGENDA UNDER COMMS. COUNSEL'S REPORT – ITEM 5-b.)
2. **Public Participation** (MR. CHUCK MORANT, 803 SCHOOLWAY AVE., REQUESTED CONSIDERATION FROM COMMISSIONERS FOR REIMBURSEMENT OF A \$250 ELECTRICIAN BILL DUE TO PARTIAL POWER EXPERIENCED AT HIS RESIDENCE. REQUEST HAD BEEN DENIED BY UC STAFF DUE TO LIMITS OF LIABILITY. AFTER SUBSTANTIAL DISCUSSION AND CONSIDERATION, U.C. COMMISSION UPHELD THE REIMBURSEMENT DENIAL)
- \*3. **Approval of Consent Items** (APPROVED)
  - a. ✓ Minutes of Regular U.C. Meeting Held 10-26-21 (*Annotated Version*) (U.C. and State Requirements)
  - b. ✓ Granted and Accepted Third Party Utility Easement (Jefferson St. Parking Lot – City of NSB) – J. Couillard (*U.C. and State Requirements*)
  - c. ✓ Project Approval – Lift Station No. 10 Improvements Project (Engineering Services by Tetra Tech) – J. Couillard (*U.C. and State Requirements*)
  - d. ✓ Contract Renewal – Cogsdale Annual Software Renewal, Extended Maintenance and Support Contract (Cogsdale Corporation) – B. Keehn (*U.C. and State Requirements*)
4. **General Manager's Report – J. Bunch**
  - a. Financial Status - October 2021 – E. Chavez (PRESENTED AND DISCUSSED PRESENTATION PREPARED FOR OCT. 2021 FINANCIAL PERFORMANCE, WHOLESALE POWER AND INVESTMENT POLICY REVISIONS AND KPI'S FOR OCT. 2021. UC HAS A CHANGE IN NET ASSETS OF APPROX. \$1.6 MILLION, DRIVEN BY INCREASED REVENUE – USAGE AND VOLUMES, AND LOWER PURCHASED POWER AND OPERATING EXPENSES. WAS \$1.4M GREATER THAN OCT. 2020. CAPITAL EXPENDITURES APPROX. \$1.3M - \$0.6M IN MAJOR PROJECTS AND \$0.7M IN ANNUAL PROJECTS. OPERATING INCOME OF \$1.4M, WAS \$1.3M GREATER VS. OCT. 2020. CAPITAL CONTRIBUTIONS WERE \$0.2M (CASH), \$0.1M HIGHER THAN PRIOR YEAR. AND THEN PRESENTED AND DISCUSSED WHOLESALE PURCHASED POWER POLICY – FRAMEWORK, APPROVAL LEVELS, AND ASSOCIATED TRANSACTIONS. GM-CEO POINTED OUT THIS POLICY, AND NEXT ONE, BEING PRESENTED TODAY, ALONG WITH MANAGEMENT AND GOVERNANCE GUIDELINES RESOLUTION APPROVED LAST FY, WERE DEVELOPED FOR ADDED TRANSPARENCY AND CLARITY, TO PROVIDE GOVERNANCE ON HOW ALL THIS WORKS AND AS A REFERENCE OR UNDERSTANDING FOR NOW AND GOING FORWARD. RES. NO. 2021-12 WAS APPROVED AT THIS POINT BY THE COMMISSION. THEN THE CFO PROCEEDED TO PRESENT AND DISCUSS THE REVISED INVESTMENT POLICY. EXPLAINED THE HISTORY, UPDATES, SECURITIES SELECTION,



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**RESULTS OF UC MEETING (CONT.)**

4-a. Financial Status - October 2021 – E. Chavez (CONT.)

NEXT STEPS ASSOCIATED WITH ESTABLISHING A CUSTODIAL ACCOUNT FOR INVESTMENT FUNDS AND AN APPROPRIATE BENCHMARK AGAINST WHICH THE U.C.'S PORTFOLIO PERFORMANCE WILL BE COMPARED ON A REGULAR BASIS. ALSO EXPLAINED UTILIZATION OF FMPA AS AN AGENT TO PROVIDE INVESTMENT MANAGEMENT ASSISTANCE. FMPA'S ASST. TREAS./INVESTMENTS ADDITIONALLY SPOKE RE: AMT. AND TYPES OF FUNDS CURRENTLY MANAGED BY FMPA, AS WELL AS ABOUT THE PLANNED BENCHMARK. RES. NO. 2021-13 WAS THEN APPROVED BY THE COMMISSION)

- b. Presentation: Electrification Overview and UCNSB's Approach – B. Beck (PRESENTED AND DISCUSSED INFORMATIONAL PRESENTATION EXPLAINING MEANING OF THE TERM ELECTRIFICATION, U.C.'S ASSOCIATED CONSIDERATIONS WITHIN FLEET, EV PUBLIC CHARGING INFRASTRUCTURE, AND FACILITIES AS A GRID APPROACH OR SMART BLDG. MGMT. SYSTEMS. PROVIDED ASSOCIATED STATISTICS AND FACTS. POINTED OUT UC'S EXISTING VEHICLE FLEET IS 8% LIGHT-DUTY, 89% MEDIUM TO HEAVY-DUTY, AND 3% EV'S. ALSO DISCUSSED CURRENT AND UPCOMING CHALLENGES AND BARRIERS FOR WIDESPREAD ELECTRIFICATION – POTENTIAL REGULATIONS AND ECONOMIC MODELS. CONCLUDED EXPLAINING A FEASIBILITY STUDY WILL BE PERFORMED IN 2022 TO SUPPORT THE U.C.'S DETERMINATIONS SURROUNDING THESE CHALLENGES AND ALSO THE POSSIBILITIES OF ELECTRIFICATION. ALSO INDICATED FUTURE COMMISSION UPDATES WILL BE FORTHCOMING)

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

- a. ✓ Interlocal Agreement with the City of New Smyrna Beach – Related to Management of Utility Property Title – T. Cloud (APPROVED; CITY NSB APPRVD. INTERLOCAL 11-16-21, AI 7.A)

**ADD-ON** b. ✓ Pole Attachment Licensing Agreement Between U.C. and Level 3 Communications, LLC  
T. Cloud (APPROVED; DUE TO LENGTH OF AGREEMENT NOW PENDING FINAL APPROVAL OF AGREEMENT FORM BY CITY OF NSB)

**6. Old Business**

**7. New Business**

- a. ✓ Wholesale Power Transaction Policy (Governance) – Proposed U.C. Resolution No. 2021-12 – T. Beyrle and E. Chavez (APPROVED UNDER AI 4-a.; RES. NO. 2021-12 EFFECTIVE IMMEDIATELY UPON PASSAGE. PROVIDING ADDITIONAL GOVERNANCE OF INTERNAL CONTROLS AND MONITORING OF ASSOCIATED FINANCIAL RISKS FOR WHOLESALE POWER TRANSACTIONS. NOTED - PURCHASED POWER IS U.C.'S SINGLE LARGEST LINE ITEM IN O&M EXPENSES, APPROX. \$24.6M OR 37% OF TOTAL)



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**RESULTS OF UC MEETING (CONT.)**

- 7-b. ✓ Revised (Updated) Investment Policy (Governance) – Proposed U.C. Resolution No. 2021-13 – E. Chavez **(APPROVED UNDER AI 4-a.; RES. NO. 2021-13 EFFECTIVE IMMEDIATELY UPON PASSAGE. PROVIDING ADDITIONAL GOVERNANCE OF INTERNAL CONTROLS ASSOCIATED WITH MONITORING U.C.'S INVESTMENT FUNDS. ALSO PROVIDES AN OPPORTUNITY, UTILIZING FMPA'S EXPERTISE, TO IMPROVE CURRENT INVESTMENT PORTFOLIO FOR INCREASED YIELD AT MINIMAL RISK)**

**(GM-CEO BRIEFLY DISCUSSED PUBLIC PARTICIPATION AT TODAY'S MTG. INDICATED MR. MORANT DID A REALLY NICE JOB OF PRESENTING HIS CASE AND U.C. COMMISSIONERS DEMONSTRATED A NICE, FAIR APPROACH TO CONSIDERING HIS REQUEST. THIS CASE WAS JUSTLY HEARD ALBEIT CUSTOMER MAY NOT HAVE AGREED WITH OUTCOME. ADDED HE BELIEVED THIS WAS THE RIGHT OUTCOME BASED ON UTILITY INDUSTRY AND OPERATIONS)**

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

**(COMMS. SMITH COMMENDED STAFF FOR REPORTS AND INFO. PROVIDED AND APPRECIATED FMPA ATTENDING AND SUPPORTING WITH ADDITIONAL INVESTMENT ALTERNATIVES – VERY GOOD DEAL FOR U.C.)**

**(COMMS. KELLY COMMENDED U.C. STAFF AND MENTIONED COMMISSION DETERMINATIONS NEED TO BE ABLE TO BE SUPPORTED OPERATIONALLY BY STAFF. ALSO ADDED THOSE WERE VERY NICE COMPLIMENTS FROM MR. MORANT TOWARD ALL U.C. STAFF INVOLVED)**

**(COMMS. CONRAD PRAISED THE PROCEDURES, AND UPDATES TO PROCEDURES, OCCURRING NOW. STAFF IS BUILDING AND UPDATING PROCESSES WITH PLANS TO REVIEW AND UPDATE THOSE PROCESSES PERIODICALLY IN THE FUTURE. GRATEFUL TO BE ON A BOARD AND WITH AN ORGANIZATION THAT DOES THAT)**

**(CHAIRMAN DAVENPORT MENTIONED RECEIVING MORE CALLS NOW THAT HE'S CHAIRMAN. ALSO COMMENDED REPORTS AND INFO. BEING PROVIDED; MUCH IMPROVED OVER THE LAST COUPLE OF YEARS. INTERESTING TO WATCH THIS ORG. TURN AROUND AND GO IN A BETTER DIRECTION; SUPPORTED BY THE PASSION ON THIS BOARD. CONCLUDED MTG. BY WISHNG ALL A HAPPY HOLIDAY SEASON)**

✓ 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.