



J. HOLCOMB, CHAIRMAN
J. DAVENPORT, VICE CHAIR
L. CONRAD, SECY.-TREAS.
R. HAWES, ASST. SECY.-TREAS.
J. SMITH, 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, MAY 24, 2021,
AT 3:00 P.M. 200 CANAL STREET, DEBERRY
ROOM, 3RD FLOOR, NEW SMYRNA BEACH, FL

RESULTS OF UC MEETING

[Pledge / Invocation / and Safety Message by John DeFries – “Rubber Glove Inspection”
(SAFETY MESSAGE INCLUDED LINEMEN GLOVES DEMO AND A BRIEF VIDEO)]

ROLL CALL

1. Agenda Changes, Additions and Deletions

2. Public Participation (Virtual Viewing & Limited On-Site w/ Appt.)

*3. Approval of Consent Items (APPROVED)

- a. ✓ Minutes of Regular U.C. Meeting Held 4-26-21 (Annotated Version)
(held on-site w/limited public via appts.) (U.C. and State Requirements)
- b. ✓ Granted and Accepted Third Party Utility Easements – J. Couillard (U.C. and State Requirements)
- c. ✓ WRF East Clarifier Drive Unit Replacement Project – T. West (U.C. and State Requirements)
- d. ✓ Revising UCNSB 2021 (CY) Regular Meeting Schedule for September and October 2021 – J. Bunch (U.C. and State Requirements)
- e. ✓ Agreement for Continuing Professional Services Between UCNSB and KCI Technologies, Inc. – J. Couillard (U.C. and State Requirements)

4. General Manager’s Report – J. Bunch (GM-CEO MENTIONED TWO ITEMS FROM THE WRITTEN PORTION OF GM REPORT. STATED RATE STUDY WAS WINDING DOWN AND CURRENTLY PLANNING FOR RATE CONSULTANTS TO BE AT JUNE COMMISSION MTG. FOR PRESENTATION – TO PROVIDE THE RATE RECOMMENDATIONS. IF POSSIBLE, WILL PROVIDE RELATED INFO. IN ADVANCE OR OFFER INDIVIDUAL MEETINGS TO COMMISSIONERS. ALSO POINTED OUT AND COMMENDED THE DIRECTOR OF I.T. FOR ACQUIRING AN APPROXIMATE \$350,000 TO \$400,000 APPA GRANT THROUGH FMPA FOR 24/7 CYBER MONITORING OF U.C.’S SYSTEM FOR THREE YEARS. SUBSEQUENT TO COMPLETED GRANT PERIOD, STAFF WILL EXPLORE A CONTINUATION OPTION. SANS INITIAL INSTALLATION COSTS, A CURRENT QUOTE WAS OBTAINED FOR MAINTAINING TWO LEVELS OF MONITORING -- \$50,000 ANNUALLY. MAY BECOME MORE COST FEASIBLE AFTER THREE YEARS &/OR ADDITIONAL PRODUCTS MAY BECOME AVAILABLE FOR CONSIDERATION. COMMISSIONERS ADDITIONALLY COMMENDED THE DIRECTOR OF I.T.’S EFFORTS IN OBTAINING THIS GRANT – U.C. BELIEVED ONE OF SIX U.S. MUNICIPAL UTILITIES RECEIVING OPPORTUNITY)

- a. **Financial Status – April 2021 – E. Chavez AND**
- b. **Balanced Scorecard and Enterprise Metrics – April 2021 – E. Chavez**
(CFO PRESENTED AND DISCUSSED HIS APRIL 2021 FINANCIAL & OPERATING PERFORMANCE PRESENTATION. CHANGE IN NET ASSETS APPROX. \$37,000 (\$0.04 MILLION) DUE TO INCREASED REVENUE, PRIMARILY WATER AND RECLAIMED WATER, WITH CONTINUED PURCHASED POWER FAVORABILITY. APRIL FYTD CAPITAL EXPENDITURES APPROX. \$9.1 MILLION: \$5.6 MILLION IN MAJOR PROJECTS AND \$3.5 MILLION IN ANNUAL PROJECTS. APRIL 2021 YEAR TO DATE OPERATING LOSS OF \$2.4 MILLION, COMPARED TO 2020 LOSS OF \$1.8 MILLION. HIGHER THAN YEAR BEFORE BUT MAINLY CONTRIBUTABLE TO INCREASED OPERATING EXPENSES IN VEG. MNGMT./TRIMMING TO REDUCE OUTAGE FREQUENCY. WAS ADVANCED THIS YEAR BUT NEXT YEAR WILL BE ON A REGULAR CYCLE. ALSO HAD LOWER ELECTRICAL COMMERCIAL BUT EXPECTED TO INCREASE IN UPCOMING SUMMER MONTHS. CHANGE IN NET ASSETS,



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4. **GM Report – a. Financial Status and b. Enterprise Metrics April 2021 (cont.):**
IMPROVED, FROM \$1.2 MILLION LOSS IN APRIL 2020 TO \$37,000 IN APRIL 2021. THEN CONTINUED WITH DISCUSSION OF KEY PERFORMANCE INDICATORS. MENTIONED SIX TOTAL PREVENTABLE MOTOR VEHICLE ACCIDENTS, REINFORCING (THROUGH UPCOMING TRAINING) SAFE DRIVING AND VEHICLE BACKING PROCEDURES BY THE MANAGER, SAFETY & RISK. FOR ELECTRIC, THE SAIFI (FREQUENCY) METRIC, EXPECTED IMPROVEMENT AS U.C. CONTINUES EQUIPMENT INSTALLATIONS AND COMPLETION OF ONGOING RELIABILITY ITEMS. ALSO MENTIONED APPROX. 97% OF CUSTOMER ACCOUNTS REMAIN CURRENT. H.R. HEADCOUNT UNDER BUDGET BY ELEVEN, ACTIVELY RECRUITING FOR FIVE POSITIONS WITH TWO OF FIVE FILLED IN MAY)
5. **Commission Counsel's Report – General Counsel** (G.C. CLOUD MENTIONED SUCCESS IN MODIFICATION OF POLE ATTACHMENT LEGISLATION. MUNICIPAL ELECTRIC ENTITIES WERE NOT INCLUDED IN LEGISLATION WHICH BADLY AFFECTED CITIES HOME RULE. NOTIFIED COMMISSION OF UPCOMING JUNE 3RD INTERNAL MEETING WITH COUNTY RE: WILLIAMSON BOULEVARD AGREEMENT – HOPING TO WRAP THAT UP. AS STATED EARLIER, THE TARIFF UPDATE IS PLANNED FOR NEXT MONTH, WILL ALSO BE UPDATING U.C.'S DOCUMENTATION AT PSC (ELECTRIC TARIFFS). REVISION OF THE DEVELOPER'S AGREEMENT, A PART OF CAPITAL CHARGE REWRITE, EXPECTED TO BE FINALIZED IN JUNE. CURRENTLY PLANNING TO HAVE THE FORM OF THIS AGREEMENT APPROVED BY THE CITY AS MANY OF THESE AGREEMENTS EXPECTED TO LAST MORE THAN FOUR YEARS. COMMENTED THE CITY HAS BEEN HELPFUL TO THE U.C. ON SIMILAR PAST ISSUES)
6. **Old Business**
 - a. ✓ FDEP Easement Request for Barracuda Bridge Utility Relocations – Proposed UCNSB Resolution No. 2021-05 – J. Couillard (U.C. and State Requirements) (APPROVED U.C. RESOLUTION NO. 2021-05 – EFFECTIVE IMMEDIATELY UPON PASSAGE) (CHAIRMAN HOLCOMB INQUIRED ABOUT ALTERNATE ROUTE FOR GOLF CARTS DURING TEMPORARY BRIDGE CLOSURE. DIRECTOR, ENGINEERING WILL FOLLOW UP W/CITY)
7. **New Business**
 - a. ✓ UCNSB Municipal Fiber-Optic Network System Cost Sharing Agreement with the City of NSB and City and UCNSB Fiber Projects – B. Keehn (U.C. and State Requirements) (APPROVED THE COST SHARING AGREEMENT BETWEEN UCNSB AND CITY OF NSB; PLUS THE ASSOCIATED THREE CITY-FUNDED FIBER OPTIC PROJECTS IN THE AMOUNT OF \$152,975.56 AND TWO UCNSB-FUNDED FIBER OPTIC PROJECTS IN THE AMOUNT OF \$196,915.43. THIS AGREEMENT WAS DEVELOPED BETWEEN I.T. STAFFS, CITY ATTORNEY AND UCNSB GENERAL COUNSEL AND WILL BE UTILIZED AS THE FOUNDATION FOR CONSIDERATION OF FUTURE FIBER EXPANSION PROJECTS, AS LONG AS SYSTEM CAPACITY IS AVAILABLE. BOTH ENTITIES ONGOING CAPITAL PROJECTS WILL CONTINUE TO BE UTILIZED AS OPPORTUNITIES TO EXPAND U.C.'S FIBER NETWORK AND U.C.'S ENGINEERING CONSULTANT (BURNS & MCDONNELL) WILL BE PROVIDING A COMMUNICATIONS STRATEGY PLAN FOR COMPLETION OF THE U.C.'S FIBER LOOP AND FOR DETERMINING THE COMMUNICATION TECHNOLOGIES NEEDED TO ACCOMPLISH U.C.'S MODERNIZATION ROADMAP GOALS)



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7. New Business (cont.)

- b. ✓ 2021-22 Collective Bargaining Agreement Reopener Between UCNSB and IBEW Local 2088 – B. Beck (*U.C. and State Requirements*) **(APPROVED ITEMS 1 THROUGH 5 AS ITEMIZED AND DESCRIBED IN THE MEMORANDUM OF AGREEMENT ATTACHED TO THE AGENDA ITEM. ALL FIVE ITEMS WERE ACCEPTED BY AUTHORIZED REPRESENTATIVES OF BOTH PARTIES AND RATIFIED BY THE BARGAINING UNIT ON 5-14-21. INCLUDES A GENERAL WAGE INCREASE OF 2.5% FOR BARGAINING UNIT EMPLOYEES EFFECTIVE 10-1-21) (NOTE – SCRIVENER’S ERROR IN AI’S RECOMMENDED ACTION – STATED 4 INSTEAD OF 5)**

8. Possible Other Business - Time for Commissioners

(CHAIRMAN HOLCOMB CONFIRMED COMMISSIONERS DAVENPORT AND SMITH WERE INTERESTED IN ATTENDING THE 2021 FMEA/FMPA ANNUAL CONFERENCE, TO BE HELD ON JULY 20-22, 2021, IN NAPLES, FLORIDA. A THREE-DAY EVENT FOR TOP OFFICIALS AND DECISION MAKERS OF FLORIDA ELECTRIC UTILITIES – SUPPORTS PUBLIC POWER COMMUNITY AND PROVIDES INFORMATION ON CURRENT INDUSTRY ISSUES)

(COMMISSIONER HAWES BRIEFLY DISCUSSED THE SUBSTANTIAL INCREASES IN CONSUMER AND PRODUCER PRICING AND UNCERTAINTY SURROUNDING PROPOSED LEGISLATIVE POLICIES; CAUSING SOME “SHAKING” IN U.S. BUSINESS COMMUNITY AND RETAIL HOUSEHOLDS. THOUGHT IT WAS IMPORTANT TO GET ON THE RECORD AND WHILE NOBODY KNOWS, THERE MAY BE A DIFFERENT BUSINESS ENVIRONMENT NEXT YEAR, ONE NOT SEEN IN OVER 30 YEARS)

(COMMISSIONER DAVENPORT REITERATED IT WAS AN HONOR TO BE AT THE U.C.; COMMS. SMITH COMMENDED THE U.C.’S TRANSPARENCY; AND COMMS. CONRAD THANKED THOSE THAT HELPED WITH MODIFYING THE STATE POLE LEGISLATION. ALSO CONCURRED THAT THE OTHER LEGISLATION WILL CHANGE THE WAY THINGS ARE DONE LOCALLY, BUT ADDED THERE WAS A LOCAL COALITION WORKING TO MAINTAIN AS MUCH HOME RULE AND RIGHTS IN OUR COMMUNITY AS POSSIBLE)

(CHAIRMAN HOLCOMB COMMENDED STAFF RE: THE U.C./CITY FIBER COST SHARING AGREEMENT. THIS IS WORKING TOGETHER FOR RATEPAYERS AND TAXPAYERS – SHARING EXPENSES WHICH BENEFITS THE CONSUMER)

- ✓ 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.