



W. BIEDENBACH, CHAIRMAN  
J. HOLCOMB, VICE CHAIRMAN  
L. CONRAD, SECY.-TREAS.  
J. DAVENPORT, ASST. SECY.-TREAS.  
R. HAWES, COMMISSIONER  
T. CLOUD, GENERAL COUNSEL  
J. BUNCH, GENERAL MANAGER/CEO

**AGENDA\*\***  
**VIRTUAL MEETING /**  
**REGULAR MEETING**  
**OF THE UTILITIES COMMISSION**  
**CITY OF NEW SMYRNA BEACH, FLORIDA**  
**TO BE HELD MONDAY, AUGUST 24, 2020, AT**  
**3:00 P.M. 200 CANAL STREET, DEBERRY ROOM,**  
**3<sup>RD</sup> FLOOR NEW SMYRNA BEACH, FLORIDA**  
Webex Meeting Number/Access code: 132 789 0894  
Phone +1-510-338-9438

## RESULTS OF UC MEETING

### ROLL CALL

1. Agenda Changes, Additions and Deletions (GM-CEO REMOVED CONSENT ITEM 3-h. FROM CONSENT AGENDA TO NEW BUSINESS, BASED ON ADVICE FROM GENERAL COUNSEL)

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

\*3. Approval of Consent Items (APPROVED)

(ITEM 3-h. REMOVED FROM CONSENT ITEMS UNDER AGENDA ITEM 1.; COMMS. HOLCOMB REMOVED ITEM 3-i. AND DECLARED A CONFLICT OF INTEREST; AND COMMS. DAVENPORT REMOVED ITEM 3-j. FOR DISCUSSION. ALL REMOVED ITEMS SUBSEQUENTLY APPROVED AS SUBMITTED, WITH COMMS. HOLCOMB ABSTAINING ON ITEM 3-i. AND FILING FORM 8B AS REQUIRED)

- a. ✓ Minutes of Public Hearing and Regular U.C. Meeting Held 7-27-20 (held via Webex Mtg. No. 132 417 5421) (U.C. and State Requirements)
- b. ✓ Granted and Accepted Third Party Utility Easement (The Palms Phase 4 – Palms Land Holdings LLC) – J. Couillard (U.C. and State Requirements)
- c. ✓ Ratification – ITB 27-20 - Sugar Mill Drive 20-Inch Reclaimed Water Main Relocation Project (Recommend award to Hazen Construction) – J. Couillard (U.C. and State Requirements)
- d. ✓ ITB No. 25-20 – Annual Chemicals / Water and Wastewater (Recommend awards to Odyssey Manufacturing Co., Allied Universal Corp., Carmeuse Lime & Stone, Inc., Tanner Industries, Inc., and Thatcher Group, Inc.) – T. West (U.C. and State Requirements)
- e. ✓ Camera Truck Purchase – Fleet Replacement Plan (Recommend award to Alan Jay Fleet Sales of Sebring, FL – Sourcewell Contract No. 2020-120716 NAF) – B. Pitcher (U.C. and State Requirements)
- f. ✓ ITB No. 28-20 – Wood Pole Inspection and Treatment (Recommend award to Osmose Utility Services, Inc.) – J. Couillard (U.C. and State Requirements)
- g. ✓ Supplemental Funding FY2020 – Pole Inspection and Replacement (Backlog) – External Contractor Support (Pike Electric LLC) – M. Mines (U.C. and State Requirements)
- h. ✓ Amendment to UCNSB Purchasing Policies and Procedures Manual (Bid Requirement Exclusion for Retirement Plan Recordkeeper & Benefit Services) – E. Chavez (U.C. and State Requirements) (APPROVED U.C. RESOLUTION NO. 2020-11 -- REMOVED FROM CONSENT AGENDA AND ITEM WAS CONSIDERED WITH DISCUSSION)
- i. ✓ Developer's Infrastructure, Capacity and Inspection Agreement – Stewart Mitchell – S.R. 44 PUD - Mitchell Equity Group, LLLP – J. Couillard (U.C. and State Requirements)
- j. ✓ Mobile Substation Rental and Installation for Smyrna Substation (Duke Energy Florida, LLC) – J. Couillard & T. Beyrle (U.C. and State Requirements)



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## RESULTS OF UC MEETING – PG. 2 OF 3

### 4. General Manager's Report – J. Bunch

- a. Financial Status – July 2020 – E. Chavez
- b. Balanced Scorecard and Enterprise Metrics – July 2020 – E. Chavez  
(JULY 2020 BUSINESS PERFORMANCE RESULTS PRESENTATION PROVIDED. YEAR TO DATE POSITIVE CHANGE IN NET ASSETS OF \$2 MILLION. JULY YTD CAPITAL EXPENDITURES WERE APPROX. \$9.3 MILLION - \$1 MILLION MORE THAN JUNE 2020. UCNSB STILL SEEING YEAR OVER YEAR CUSTOMER GROWTH AND VOLUMES OF USAGE SLIGHTLY HIGHER. OPERATING INCOME CURRENTLY AT \$846,000 LOSS, LARGEST DRIVER BEING \$1.6 MILLION FOR FUEL CHARGE SET TO ZERO IN MAY AND JUNE, AND \$777,000 FOR DEPRECIATION AND AMORTIZATION - A NON-CASH ITEM. OPERATING EXPENSES IN ESSENCE FLAT – GOOD ACCOMPLISHMENT AND CONTINUING EFFORT BY UCNSB STAFF. CHANGE IN NET ASSETS, JULY 2020 AT \$2 MILLION. \$8.3 MILLION DROP FROM PRIOR YEAR DUE TO CONTRIBUTED CAPITAL – ONCE DEVELOPMENTS ARE COMPLETE INFRASTRUCTURE TRANSFERRED TO UCNSB. NOT CONTROLLABLE – BASED ON VOLUME DEVELOPMENT AND TIMING OF COMPLETION. ALSO SUMMARIZED JULY 2020 KEY PERFORMANCE INDICATORS (MAINLY GREEN) AND STATUS OF ACCOUNTS RECEIVABLE (A/R) COLLECTIONS. A/R COLLECTION HAS NOW RETURNED TO HISTORICAL PRE-COVID LEVELS. DISCUSSION ALSO ENSUED REGARDING INCREASED ASSET ACQUISITIONS AND ASSOCIATED SCHEDULED ASSET MAINTENANCE. ADDITIONAL EXPENSES WILL BE BUDGETED AND OFFSET EXPECTED BY DECREASES IN LABOR AND LIFE OF ASSETS.
- c. Mutual Aid Invoice – Hurricane Dorian – J. Bunch (DISCUSSED A MUTUAL AID INVOICE RECEIVED FROM OMAHA NE IN APPROX. AMOUNT OF \$150,000. GENERAL COUNSEL CONFIRMED UCNSB UNDER NO LEGAL OBLIGATION TO PAY - INVOICE SUBMITTED OUTSIDE CONTRACTUAL REQUIREMENTS AND NO LONGER FEMA REIMBURSABLE. STAFF WILL NEGOTIATE A PAYMENT BASED ON UCNSB'S WRITTEN REQUEST FOR MUTUAL AID FROM THIS ENTITY. NON-SUBMITTAL OF INVOICING NEVER OCCURRED PRIOR TO THIS OCCURRENCE BUT UCNSB HAS NOW INSTITUTED A PROCESS TO REQUEST TIMELY INVOICING FROM EACH ENTITY REQUESTED TO ASSIST VIA THE MUTUAL AID PROCESS. THE NEGOTIATED AMOUNT WILL BE APPROVED OR RATIFIED BY THE COMMISSION AS NEEDED)

- ### 5. Commission Counsel's Report – General Counsel (GENERAL COUNSEL PROVIDED STATUS UPDATES RE: HYPOWER TRIAL – DEPOSITIONS OF FORMER UCNSB EMPLOYEES BEING TAKEN; WORKING ON CITY/UCNSB INTERLOCAL AGREEMENT – DRAFT EXPECTED IN APPROX. TWO WEEKS TO U.C. COMMISSIONERS FOR REVIEW; NEARING COMPLETION FOR JT. USE POLE ATTACHMENT AGREEMENT W/AT&T AND ALSO A POLE ATTACHMENT AGREEMENT FOR NON-POLE OWNERS. PROGRESSING ON WILLIAMSON BLVD. ALIGNMENT – ENGINEERING STAFFS ARE WORKING ON AN OPTION FOR LESS WETLANDS IMPACT FOR ALIGNMENT WHILE ENSURING UCNSB'S CAMPUS CONSTRUCTION NEEDS ARE PRESERVED. ALSO MENTIONED NO LAW SUITS ON THE HORIZON. COMMENTED THE DOE ORDER REQUIRING THE OPENING OF FLORIDA SCHOOLS WAS JUST RULED UNCONSTITUTIONAL BY A CIRCUIT COURT JUDGE. BROUGHT THIS MATTER UP TO STRESS PUBLIC HEALTH IS A HUGE ISSUE, CUTS ACROSS EVERYTHING AND IS A MAJOR PART OF UCNSB'S OPERATIONS. VERY IMPORTANT HOW THE UCNSB OPERATES AND THE STANDARDS THAT ARE APPLIED TO KEEP EVERYONE SAFE.



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## RESULTS OF UC MEETING – PG. 3 OF 3

### 6. Old Business

### 7. New Business

- a. ✓ Healthcare Renewals FY2021 (Carriers / Coverages listed on AI Summary) – B. Pitcher  
(U.C. and State Requirements) **(APPROVED)** **(ALL CARRIERS/COVERAGES EXCEPT MAJOR MEDICAL RENEWED WITH 0% RENEWAL RATE. DUE TO U.C.'S MEDICAL LOSS RATIO THIS PAST YEAR, FLORIDA HEALTH CARE HAS 19% RENEWAL, WITH 20% CAP FOR 2021 AND AGREEMENT NOT TO MARKET IN 2021)**

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

**(COMMISSIONERS THANKED CHAIRMAN BIEDENBACH FOR HIS SERVICE AS A U.C. COMMISSIONER AND TO THE COMMUNITY – “TERM LIMITED”, SERVED NINE CONSECUTIVE YEARS FROM 2011 TO 2020. CHAIRMAN BIEDENBACH THANKED THE COMMISSIONERS AND STAFF FOR THE GREAT JOB AND ACCOMPLISHMENTS REALIZED BY UCNSB DURING THE LENGTH OF HIS TENURE AND INDICATED HE WOULD MISS THIS ORGANIZATION)**

**(NSB CITY COMMISSION SCHEDULED APPOINTMENT OF REPLACEMENT U.C. COMMS. TO OCCUR DURING 8-25-20 REGULAR CITY COMMISSION MEETING)**

- ✓ A Check Mark Indicates Items Which Commission Approval Has Been Requested On This Agenda  
Please Note B 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.