



(FINAL P.H.)

AGENDA*

**A FINAL PUBLIC HEARING OF THE NEW SMYRNA BEACH UTILITIES
TO BE HELD MONDAY, JULY 25, 2022, AT 3:00 P.M.
200 CANAL STREET, NEW SMYRNA BEACH, FLORIDA**

RESULTS OF FINAL PUBLIC HEARING

- 1. REGARDING PROPOSED REVISIONS TO NSBU'S ELECTRIC SERVICE RATES FOR PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING (INCREASES) AND PROPOSED NEW ELECTRIC SERVICE RATES FOR ELECTRIC VEHICLE (E.V.) CHARGING. (CONDUCTED FINAL PUBLIC HEARING AFTER BRIEF OPENING OF REGULAR UC MTG. ON THIS DATE)**

CHAIRMAN OF THE COMMISSION OPENS THE FINAL PUBLIC HEARING BY ROLL CALL. (MAJORITY OF U.C. COMMISSIONERS IN ATTENDANCE – COMMS. HAWES ABSENT)

UC GENERAL COUNSEL READS THE PROPOSED RESOLUTION BY TITLE ONLY. (GENERAL COUNSEL CLOUD READ THE TITLE OF PROPOSED NSBU RESOLUTION NO. 2022-01)

CHAIRMAN THEN ASKS FOR ANY COMMENTS FOR OR OPPOSED TO THE PROPOSED REVISIONS TO UCNSB'S ELECTRIC SERVICE RATES FOR PUBLIC STREET LIGHTING AND PRIVATE OUTDOOR LIGHTING (INCREASES) AND PROPOSED NEW ELECTRIC SERVICE RATES FOR ELECTRIC VEHICLE (E.V.) CHARGING. (THERE WERE NO COMMENTS FOR OR OPPOSED TO THE PROPOSED ELECTRIC SERVICE RATES AS DESCRIBED ABOVE)

(COMMISSION MOVED FORWARD WITH FORMAL ADOPTION/APPROVAL OF NSBU RESOLUTION NO. 2022-01 – NEW BUSINESS ITEM 7-a. AS LISTED ON REGULAR NSBU MEETING AGENDA FOLLOWING)

AFTER COMMENTS, CHAIRMAN CLOSSES THIS FINAL PUBLIC HEARING. (FINAL PUBLIC HEARING CONCLUDED AT 3:10 P.M.)

***Pursuant to Section 286.0105 of the Florida Statutes, if an individual decides to appeal any decision made by the New Smyrna Beach Utilities, 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 New Smyrna Beach Utilities 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 notice; if possible five days prior to the proceeding at the address given on notice.**



REVISED 7-25-22

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

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RESULTS OF REGULAR NSBU MEETING

Pledge / Invocation

Safety Message by Julie Couillard – Hurricane Preparations (DIRECTOR, ENGINEERING PROVIDED A SLIDE PRESENTATION ENTITLED “HURRICANE PREPAREDNESS REMINDER”. DISCUSSED TIPS AND SUGGESTIONS FOR HURRICANE PREPARATIONS, SUPPLIES, AND BUILDING HURRICANE KITS ASSOCIATED WITH INDIVIDUAL REQUIREMENTS)

ROLL CALL

1. **Agenda Changes, Additions and Deletions** (GM-CEO ADDED AGENDA ITEM 4-d. – INFO. RE: POWER MARKET CONDITIONS) (GENERAL COUNSEL ADDED AGENDA ITEM 5-a. – MEDIATED SETTLEMENT AGREEMENT FOR NSBU V. CORY)

2. **Public Participation**

- **3. **Approval of Consent Items** (APPROVED – ITEMS a. THRU f. AS SUBMITTED)

- a. ✓ Minutes of Preliminary Public Hearing and Regular U.C. Meeting Held 6-27-22
(Annotated Version) (NSBU and State Requirements)
- b. ✓ Developer’s Agreement – Ocean Gate PUD – Phase 2 (Ocean Gate Commerce Center, LLC) – J. Couillard (NSBU and State Requirements)
- c. ✓ Granted and Third Party Utility Easement (NSB Imaging Center – 1998 S.R. 44, Unit 3, from Gerard G. Gaenther, Jr.) – J. Couillard (NSBU and State Requirements)
- d. ✓ Project Approval – WRF West Clarifier Drive Unit Replacement Project (Sole Source Purchase - Ovivo USA, LLC) – J. Grusauskas (NSBU and State Requirements)
- e. ✓ Project Approval – Smyrna Substation Circuit 32 Construction – J. Couillard (NSBU and State Requirements)
- f. ✓ Agreement Approval – Addendum No. 3 to General Counsel’s Agreement - Rate Modification (Between NSBU and Gray Robinson, P.A.-T. Cloud) – E. Chavez (NSBU and State Requirements)

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

- a. Financial Status – June 2022 – E. Chavez (CFO PROVIDED PRESENTATION. CHANGE IN NET ASSETS ABOUT \$4.5 MILLION. WITH WARMER WEATHER, NSBU



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RESULTS OF REGULAR NSBU MEETING

4. General Manager's Report – J. Bunch (CONT.)

a. Financial Status – June 2022 – E. Chavez (CONT.)

HAS INCREASED REVENUE, OFFSET BY INCREASED PURCHASED POWER AND RELATED OPERATING EXPENSES. FYTD PURCHASED POWER AT \$65.74/MWh, \$13.81 HIGHER THAN LAST YEAR'S \$51.93. MONITORING FPPCAC, DUE TO NATURAL GAS PRICES STAYING RELATIVELY HIGH, AND FORECASTING ANOTHER POTENTIAL UPCOMING ADJUSTMENT. POINTED OUT WATER CONSUMPTION HIGHER AT 4.2%, WASTEWATER 3.3%, AND RECLAIMED WATER 7.3%. CAPITAL EXPENDITURES AT \$14.5 MILLION - \$8.6M IN MAJOR PROJECTS AND \$5.9M IN ANNUAL PROJECTS. MENTIONED PURCHASING IS PROACTIVELY WORKING WITH ALL IMPACTED PARTIES TO "BATTLE" SUPPLY CHAIN ISSUES AND CONSTANTLY WORKING WITH NSBU OPERATIONAL PERSONNEL. FYTD ABOUT \$2.1M OPERATING INCOME, LAST YEAR WAS A \$1.2M LOSS. ALSO MET WITH LARGEST PURCHASED POWER PROVIDER AND CONFIRMED DO NOT SEE MARKETS OR INCREASES IN FUEL AND PURCHASED POWER ABATING ANY TIME SOON. NSBU INVESTMENTS REMAIN CONSERVATIVE BUT STILL EARNING MORE THAN AVERAGE. FY22 INCOME BEFORE CONTRIBUTIONS \$1.9 MILLION PROFIT VERSUS \$1.7M LOSS - \$3.6M YEAR OVER YEAR IMPROVEMENT)

b. Quarterly Submission of Balance Scorecard and Enterprise Metrics – for June 2022 – E. Chavez (INFORMATIONAL QUARTERLY SUBMITTAL – NO DISCUSSION)

ADD-ON 4-d. Informational Presentation RE: Power Market Conditions – J. Bunch (GM-CEO PROVIDED SLIDES AND DISCUSSION RE: CURRENT STATUS OF THE POWER MARKET, RE: COSTS, ENERGY PRODUCTION, OIL AND GAS PRICING AND STORAGE, CURRENT FPL CONTRACT WITH NSBU, AND EXPECTED UPCOMING MODIFICATION TO NSBU'S FUEL AND PURCHASED POWER COST ADJUSTMENT COMPONENT. EVEN WITH ANOTHER FPPCAC MODIFICATION, NSBU WILL REMAIN ONE OF THE LOWER COST ELECTRIC PROVIDERS IN FLORIDA.

(GM-CEO ADDITIONALLY POINTED OUT THE NEW TITLE CHANGE FOR E. CHAVEZ – VICE PRESIDENT/CFO, AS LISTED IN GM REPORT. BECOMES EFFECTIVE 8-1-22)



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4. General Manager's Report – J. Bunch (CONT.)

- c. ✓ Approval – Commissioner Travel Expenses FMEA 2022 Annual Conference – Commissioner Smith – E. Chavez **(APPROVED – TOTAL EXPENSES IN AMOUNT OF \$1,982.50 FOR COMMS. SMITH'S ATTENDANCE) (NOTE ONLY – COMMS. CONRAD'S EXPENSES WILL BE FORMALLY APPROVED DURING NEXT REGULAR NSBU MTG.)**

5. Commission Counsel's Report – General Counsel

- ADD-ON 5-a.** ✓ UCNSB v. Cory – Mediated Settlement Agreement **(APPROVED) (GENERAL COUNSEL, DIRECTOR, ENGINEERING, AND GM-CEO ALL PROVIDED BACKGROUND AND DISCUSSION RE: 2012 L.S. NO. 4 PROJECT. THE RECOMMENDED MEDIATED SETTLEMENT AND GENERAL RELEASE AGREEMENT INCLUDES A SETTLEMENT PAYMENT AMOUNT TO NSBU OF \$110,000.00)**

6. Old Business

7. New Business

- a. ✓ Proposed NSBU Resolution No. 2022-01 – Modifying Electric Rates Related to Streetlighting and New Rates for Electric Vehicle (E.V.) Charging – E. Chavez *(NSBU and State Requirements)* **(APPROVED – FORMAL ACTION TAKEN AT END OF FINAL PUBLIC HEARING ADOPTING AND APPROVING NSBU RESOLUTION NO. 2022-01. RESOLUTION EFFECTIVE IMMEDIATELY UPON ADOPTION, RATES TAKING EFFECT ON 8-1-22)**

8. Possible Other Business - Time for Commissioners

(ALL U.C. COMMISSIONERS CONGRATULATED GM-CEO ON HIS RECENT APPT. AS FMEA PRESIDENT-ELECT – A VERY NICE HONOR)

(DISCUSSION ENSUED RE: E.V. CHARGING, UTILITY SYSTEM PLANNING, AND LAND DEVELOPMENT PLANNING BY THE CITY. GM-CEO MENTIONED DIRECTOR, STRATEGIC PROGRAMS COULD PROVIDE GUIDANCE RE: E.V. CHARGING IN CONDOS; COULD PROVIDE INFO. FOR COMMS. CONRAD'S CONDO ASSOCIATION. ALSO INDICATED A FUTURE NSBU PRESENTATION WILL BE FORTHCOMING ON E.V. CHARGING BY THIS DIRECTOR. COMMS. SMITH INQUIRED IF CITY SHOULD REQUIRE INSTALLATIONS OF E.V. CHARGING UNITS, ESPECIALLY IN MULTI-FAMILY PROJECTS. DIRECTOR,



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4. **Possible Other Business - Time for Commissioners** (CONT.)
 ENGINEERING INDICATED ENGINEERING ACTIVELY WORKING WITH THAT MATTER IN DEVELOPMENT AND CURRENT CUSTOMERS. COMMS. KELLY APPLAUDED NSBU STAFF PREPARATION RE: E.V. CHARGING – EXPECTING RAPID DEVELOPMENT IN THE NEXT TWO YEARS. ALSO COMMENDED NSBU LEADERSHIP FOR THE \$3.6M SWING IN PROFIT – AS SHOWN ABOVE, CURRENTLY AT \$1.9M, LAST YEAR A \$1.7M LOSS)

CHAIRMAN DAVENPORT CONGRATULATED E. CHAVEZ ON HIS NEW POSITION AND REITERATED A COMMENDATION FOR REALIZED SAVINGS ON PRIOR NSBU BONDS ISSUANCE. ALSO DISCUSSED THE DESIRE TO GET FUNDING FOR SEPTIC-TO-SEWER INITIATIVES, ESPECIALLY SILVER SANDS (SOUTH BCH. AREA). AND CHALLENGED ALL IN ATTENDANCE TO THINK ABOUT SOME FUTURE OUT-OF-BOX SOLUTIONS TO ASSIST WITH DOWNTOWN NSB PARKING)

✓ 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

- * To commence after conclusion of Final Public Hearing RE: Two Electric Tariffs – Public Streetlighting and Private Outdoor Lighting (Increases) and Proposed New Electric Service Rates for Electric Vehicle (E.V.) Charging.
- ** 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 New Smyrna Beach Utilities, 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 New Smyrna Beach Utilities in accordance with the full cost to reproduce such transcriptions and copies.
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