

[ANNOTATED VERSION]*

*[*NEAR VERBATIM / DETAILED VERSION POSTED ON UCNSB WEBSITE – NSBUFL.COM]*

MINUTES OF A SPECIAL MEETING OF THE NEW SMYRNA BEACH UTILITIES,
HELD MONDAY, SEPTEMBER 12, 2022, AT 3:00 P.M., AT 200 CANAL STREET, NEW
SMYRNA BEACH, FLORIDA

(NOTE – THIS SPECIAL NSBU MEETING WAS HELD ON-SITE)

Chairman Davenport opened the Special NSBU Meeting, called the meeting to order, to be held today Monday, September 12, 2022 at 3:00 p.m.

Roll Call

A roll call was taken with all of the U.C. Commissioners in attendance as follows:

Commissioner James Smith
Commissioner Lillian Conrad
Chairman James Davenport
Commissioner Richard Hawes
Commissioner Lawrence Kelly, Jr.

Others in attendance at this time were as follows: J. Bunch, General Manager/CEO; L. Green, Help Desk Technician; D. Simmons, Exec. Mgr./ Recording Secretary; General Counsel Thomas Cloud and Jack Kirschenbaum – Gray|Robinson Attorneys at Law; Frank Mari, Bell & Roper, P.A.; and with no members of public in attendance on site.

(1) Ratification – Re-Scheduling of Executive Session – Closed Attorney-Client Session:

After Chairman Davenport introduced items (1) and (2), Mr. Cloud indicated motions were needed on both items.

Commission Action:

Commissioner Smith stated so moved; specifically a motion ratifying the re-scheduling of the Executive Session – Closed Attorney-Client Session from September 26, 2022 to September 12, 2022 at 3:00 p.m. This session was properly noticed in the Orlando Sentinel on Sunday, September 4, 2022.

Commissioner Kelly stated second.

Chairman Davenport requested Mrs. Simmons to call the roll please.

Commissioner Smith’s motion then passed unanimously on a roll call vote.

(2) Approval – Re-Scheduling of Regular (Reorganizational) NSBU Meeting:

Commission Action:

Commissioner Hawes stated so moved; specifically a motion approving the re-scheduling of the Regular / Reorganizational NSBU meeting from September 26, 2022, Monday, at 3:00 p.m. to September 22, 2022, Thursday, at 10:00 a.m.

(2) Approval – Re-Scheduling of Regular (Reorganizational) NSBU Meeting (cont.):
Commission Action (cont.):

Commissioner Kelly stated second.

Chairman Davenport stated okay, Mrs. Simmons call the roll please.

Commissioner Hawes motion then passed unanimously on a roll call vote.

I. Executive Session – Closed Attorney-Client Session

After a few comments, Mr. Cloud stated recess, you recess this meeting. A motion to recess this meeting until after the completion of the Executive Session, and then you would break into Executive Session.

Commission Action:

Commissioner Smith stated so moved; specifically approving recess of the Special NSBU Meeting until after the completion of the Executive Session – Closed Attorney-Client Session.

Commissioners Conrad and Kelly simultaneously seconded the motion.

Chairman Davenport stated okay, Mrs. Simmons call the roll please.

Commissioner Smith's motion then passed unanimously on a roll call vote.

Chairman Davenport stated okay, now we'll break and go to the second floor.

(Executive Session attendees, as listed on the agenda, then retired to the 2nd floor Executive Conference Room. The court reporter had set up in this room and was awaiting the arrival of the attendees.)

(3) Recommencement of Special Meeting – 3rd Floor DeBerry Room:

At approximately 4:00 p.m., the above Executive Session attendees returned to the 3rd floor DeBerry Room.

Chairman Davenport then stated we'll reconvene this Special NSBU Meeting on the third floor in the DeBerry Room. Then added and what I'd like to have now is the motion to adjourn.

(4) Possible Action Concerning Settlement Negotiations and Strategy:

No discussion nor action was taken concerning settlement negotiations or strategy.

(5) Conclude Special Meeting:

Commission Action:

Commissioner Conrad stated I'll make that motion.

Simultaneously Commissioner Smith stated so moved; specifically a motion to adjourn today's Special NSBU Meeting.

Commissioner Conrad then stated I'll second it.

Chairman Davenport stated okay Mrs. Simmons call the roll please.

Commissioner Smith's motion then passed unanimously on a roll call vote.

Chairman Davenport thanked the attorneys for their assistance and adjourned the meeting.

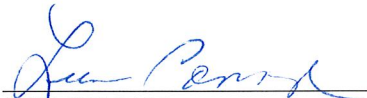
There being no further business to come before the Commission, the Special NSBU Meeting closed at 4:02 p.m.

APPROVED:

ATTEST:

ACTING

CHAIRMAN



ASST.

SECRETARY-TREASURER



These minutes were formally approved by the Utilities Commission at their Oct. 24, 2022 meeting.