

New Smyrna Beach Utilities Board Meeting 28 November 2022

Participants Present: Acting Chair R. Hawes, Commissioners L. Conrad, L. Kelly, CEO J. Bunch.
Participants Absent: Chair, B. Davenport, J. Smith

Safety Message – The monthly safety message covered fire safety, primarily cooking and decorating) during the winter holidays.

Approval of Consent Items – Unanimously approved

- a. Minutes of Regular NSBU meeting held 10-24-22
- b. Emergency Purchase Order – Hurricane Ian. Consisted of 4 emergency purchase orders. Additional emergency purchase orders will be presented. upon receipt of invoices, for ratification at future meetings.
- c. Granted and accepted third party Utilities Easements.

General Manager's Report

- a. Mr. Chavez provided the October 2022 financial report, which is the beginning of the new fiscal year. There is currently a net asset of approximately \$1.3M.
- b. Major projects work continues, including Electric Reliability Improvement Program, Lift Station Upgrades, Line Rebuild, Glencoe Well Upgrades and Glencoe Water Treatment Plant improvements.
- c. Fuel costs are starting to ease and are being monitored closely
- d. Engineering Department report on developer projects
- e. Electric Vehicle Charging Stations – One EV stations will be installed at Advent Health and remaining four units at City designated locations. Total financial Report can be found here: (Insert Link)

Strategic Accomplishments

Mr. Bunch presented FY2022 Strategic Accomplishments as follows:

- a. Significant Progress and accomplishments across all NSBU FY22 business strategy
- b. On-track to become a Utility of the Future
- c. Implementation to Enhance Customer Experience through Modernization Roadmap Projects
- d. Reliability and Sustainability Improvements of electric and water systems
- e. Assured high-level of cyber security for critical IT assets
- f. Improved safety program, culture and performance
- g. Established positive human resource environment to attract and retain talent

General Counsel's Report

FDOT seeks to acquire via eminent domain a 2.1 acre parcel from NSBU as a part of its proposed "Pioneer Trail" interchange on I-95. The Commission's CEO and Director of Engineering determined this property is not necessary, useful nor profitable in the NSBU'S operations. FDOT's initial offer was

\$10,000/acre for a total of \$21,000.00. Staff and general counsel negotiated for a settlement of \$65,400 plus payment of the Commission's attorneys' fees and cost, for a total settlement of \$90,000.

General Counsel sought and obtained the City Attorney's opinion that the City's right of first purchase option does not apply to properties to be condemned by a governmental authority.

A motion was made to approve the proposed settlement of FDOT's eminent domain case for approximately 2.1 acres of NSBU's Western Utility Complex. The motion was seconded and carried **unanimously**.

Commissioner's Comments

All commissioners praised the work of NSBU staff during the two storms and appreciated the updated communication capabilities, especially the outage map and texts to customers.