

MINUTES OF A JOINT WORKSHOP WITH THE CITY COMMISSION HELD  
WEDNESDAY, MARCH 1, 2017, AT 5:00 P.M., AT THE UTILITIES COMMISSION,  
CITY OF NEW SMYRNA BEACH, FLORIDA, 200 CANAL STREET, NEW SMYRNA  
BEACH, FLORIDA

Vice Mayor Sachs opened the joint workshop (Mayor Hathaway initially absent) by stating this is my first go at this, thank you, yes. He then stated call to order, can we have a roll call please; starting with me I guess, Vice Mayor Jake Sachs.

Chairman Biedenbach stated no, wait a minute, who's running the roll call, Mrs. Simmons are you running it or Mr. Bledsoe are you running it.

Mr. Bledsoe stated I'll go.

Chairman Biedenbach stated you go, thanks Mr. Bledsoe.

The City Clerk, Mr. Bledsoe, then called the roll for the City Commission and Utilities Commission, with a majority of the City Commissioners and all of the Utilities Commissioners in attendance as follows:

CITY COMMISSION:

City Mayor Hathaway – ABSENT\* (\*Arrived at meeting at 5:20 p.m.)  
Vice Mayor Sachs  
City Commissioner Reiker  
City Commissioner McGuirk  
City Commissioner Hartman

UTILITIES COMMISSION:

U.C. Chairman Biedenbach  
U.C. Vice Chairman Holcomb  
U.C. Commissioner Britz-Parker  
U.C. Commissioner Davenport  
U.C. Commissioner Griffith

Others in attendance were as follows: J. Bledsoe, City Clerk; City Manager Pam Brangaccio; F. Gummey, City Attorney; Asst. City Manager Khalid Resheidat; Amye King, City Planning and Zoning Director; Tony Otte, City CRA/Economic Development Director; R. Mitchum, General Manager/ CEO; W. Preston, U.C. Legal Counsel; D. Simmons, Exec. Services Mgr./Recording Secretary; Dale Paternoster, Advocate Reporting; and Mr. Walter Allen, and an unidentified woman and man, members of the public.

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects:

Vice Mayor Sachs then stated do we have a presentation tonight?

Chairman Biedenbach stated we do, Mr. Mitchum are you doing the presentation on the capital improvement plan.

Mr. Mitchum stated no sir, I am not, we do not have a presentation, we are just starting our CIP. It was my understanding you would be discussing parameters for getting the two CIP's together.

Commissioner Holcomb stated right, essentially, that's right, essentially discussing them working with our CIP; is that close enough.

Chairman Biedenbach then stated Vice Mayor Sachs is running the meeting I'm not Commissioner Holcomb, so.

Vice Mayor Sachs stated so I'll defer to you Commissioner Holcomb, we can have these discussions however you would like, let's discuss. He then stated start with 1, capital improvements mutually agreed upon by the City Manager and the CEO/General Manager of the U.C., is that right?

Commissioner Holcomb stated it's just, from what I, was talking with everybody, it's more of us being notified and aligning. We present our CIP to the City every year, it's actually having a..., other than receiving them we actually talk about them. See if we can align future projects that are coming, but the City can see if they can align with us. Maybe we can align work that the City needs to be done with our CIP when it's mutually beneficial. And then talk about any projects that might be forthcoming with the City that we need to be aware of that they might need our assistance. And really the reason we're here is just to figure out when we do identify these projects, how do we work together and not have all the grey hair trying to put this deal together. So, solve the problem, move on, move on to the next project. One of things I'd like to see is us, is the UC be notified a lot earlier in the decision making process when the City understands or identified the project and might have a need for us or it might involve us. I, I much rather see us involved, whether we ever do get involved or we don't, notified a lot earlier than hey, this is what we have, this is why we need you, and you've got to make a decision where the City's put forth commitments and resources and then we're, we're kind of at the mercy when it's too late. So, that's, that's my dilemma, the last two deals we've done, you know, I felt in the Islesboro Project that we could have been notified a lot earlier and we weren't, the numbers changed significantly. You guys know that I want to be proactive working together unilaterally, hand in hand, with the City. I think it's, it's important for the U.C. to be a good partner with the City, but that, that goes two ways. So us being notified earlier in the process, to allow us to you know, to dedicate the resources, time,

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

whatever it might be, to be a partner in this is what I'm looking for. So, that's, that's all, I'll leave it at that and anybody else would like to comment.

City Commissioner McGuirk stated yes, Commissioner Holcomb, yes, what suggestion do you have, what's the best way to achieve that on, what can we do or what's, what's your thoughts on executing that?

Commissioner Holcomb stated well I just think if you identify a project, you have a project number, I, I, you know I've talked to you guys. I've got 65,000 customers and I can tell you when they did what, when they did it, how they did it, and when they've been with me the last. So, I think once we identify from the City, us, the U.C. needs to identify it with a number, somehow, some classification, just like you'd open a file, and then any communications or any agreements that, or, or, progress that the City's going to be moving forward to maybe achieving that, will all be documented, that we would have like a timeline of it. We started it on this day and this is where we were notified, and any communications, and any deals. The one thing that I really struggle with is verbal agreements, I'm done with their verbal agreements, I don't even want to hear a verbal agreement. If Mrs. Brangaccio and Mr. Mitchum agree on something, can someone, can they just email each other, and it says that they did it, then put it in the file and we're done. That way we don't have to interpret what each person's opinion of the agreement is, it's there. And I mean, it can be simple stuff, I don't need, you know, just I met with Mr. Mitchum, or I met with Mrs. Brangaccio, this is what we discussed, this is what we're both in agreement in and we're moving this thing forward. And it's just to identify, we can go refer to it, we've got it, it's there for us, so when it comes to us and there's a problem or a roadblock, then we've got it, we can review it, and we can move on. That to me seems very easy and it doesn't seem too hard to keep track of.

City Commissioner Reiker stated okay, well I'd like to say, so are you saying Commissioner Holcomb that maybe you want to have the staff get with staff and then, and maybe what's happening here is staff is getting with staff...

Commissioner Holcomb simultaneously stated but it's wouldn't get with us, go ahead, yes, absolutely.

City Commissioner Reiker continued, but you're not getting, you're not getting, the information's not being passed down, so...

Commissioner Holcomb stated right, we, we want the same, right we want when you guys have a project, your staff or actually Mrs. Brangaccio and Mr. Mitchum or whoever identifies these projects because it hits both their budgets, so I've got to believe that no one's touching Mrs. Brangaccio's budget or Mr. Mitchum's budget without getting permission. Once they,

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once they get in there and it's identified, that they just, we just identify. We're notified hey you guys we might need you.

City Commissioner Reiker stated but that needs to happen from your, your Executive Director on down.

Commissioner Holcomb stated yes.

City Commissioner Reiker stated because our staff could be talking to their staff but I know your meetings are very short and...

Commissioner Holcomb stated you, you'll, right, so...

City Commissioner Reiker continued so, so maybe there's more that you can be advised by your Executive Director coming on down because...

Commissioner Holcomb stated well, what, what I'd like to see is we would tell staff when you guys advise us, when the City advises us of a project or a plan that hits our agenda, we're notified of it, that we, you know, basically encountered a new project that we might be working on in the City, that we're just aware of it. So as, if, soon as the staff is made aware of it, in our next meeting they would make us aware of what's going on or what's coming to us; just so that we're prepared for it.

Commissioner Britz-Parker stated I have a comment to add to that, I don't how to accomplish this, but what I would like to see us be able to do is not independently the City come up with their projects and the Utilities Commission come up with theirs. It would be great if we could do that together because I'm new on the Commission so I don't know everything that has transpired and I certainly have a whole lot left to learn, so ideally we could take a look at those things that the City really wants to achieve, things that they need to do, and we do the same and then figure out in what instances we can work on those projects together where it makes the most sense. So we're not hindering anybody else's progress on a project because, I mean I know I heard stories something that the City was doing, they had to stop for a while so that Utilities Commission could come in and do things. I mean, if, if we're digging in the ground in the areas where we have service, chances are we really need to be working together. And something else I would like us to try to establish, and again I think this is a long range plan, and, and we are, I am still learning, but I would love for us to have a voice at the table, the Utilities Commission, to establish a long range plan to get rid of septic, either existing septic systems, certainly try to establish something where new septic systems are not going to go into the ground. I would like to see the U.C. represented, I know at one time we did have an organization in Volusia County that a lot of people didn't like, called WAV. It's my understanding there's another organization though that's beginning, whether it's through

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League of Cities or whatever that all of the cities in Volusia County, and I guess maybe the County is sitting down to talk about water, you know, and what we need to do to handle it most appropriately. Well, since the Utilities Commission is the provider of that service, as opposed to it being directly under the umbrella of the City, I think that we should have a voice in that discussion and we should be proactive in discussing that. So, I very much would like to see us come up with, work together, not just the City and the Utilities Commission but you know the County, St. Johns River Water Management District, the EPA if we continue to have one. And, you know, for us actually to really look at that and come up with long range goals to do what's best for everyone in the community.

Chairman Biedenbach stated let me jump, the Mayor and I discussed this. I would like to have this meeting every six months, have it after the appointments to the U.C. Commission, because every year there is another appointment and whether it's a reappointment or a new body, to have the first meeting. The next meeting we'll have in October, which is after the appointments. I happen to be up for appointment this time, whether I'm reappointed or not, if I'm there, if I'm not there, somebody else is there, at least they'll have the year to work on it. And then the next one after that, in March, and then next fall after the elections because there could be a change in the City Commission after the next go-around of elections. So, I would like to put on the books at this point, right now, a joint meeting of this group in October of 2017 and start looking for a date that we can all get together because this has been a somewhat contorted dance trying to get this date established with all of us. And put, put in October, and everybody look at your schedules so we can start throwing dates out there. And then pick a date in March for April and we'll do it again. And at that point if we have the City saying these are our projects that we're looking at for the next six months, or these are the projects we're looking out there. U.C. does the same thing with our CIP saying hey, this is where we are. At least we'll get to talk to one another about what's on that thing instead of us just turning the CIP, the CIP, say, here's a big book, go ahead and go through it and see if we all can match something. Where we pick them out, say this is what we're doing for the next year or two years out there. The City can come to us and say hey, these are the things that we're looking at because I was at the City Visioning Meeting the other day, last November before, before Christmas and they sat down and they were, they were reaching out five, eight, nine years, is that correct Mrs. Brangaccio, you were reaching out five, six, seven, eight, nine years. We reach out like that, but it's the CIP and it's on that page and in the couple of years that I've been here you get a book then say okay, we're going to approve this, what do you want. So,...

Commissioner Holcomb interjected sooner than later though. Here's, here's what I ask, by the time it gets to us or Commissions, there's a decision, there's resources, there's commitments, there's a lot of stuff that's applied, so we have to be aware sooner than later. That's the one thing with these projects that is key, is once the City identifies a need for us, I don't know what it is, but that we just know, hey guys, you're on the radar, this is what we

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think we're going to need from you. Because if we wait until it gets to the Commission and then it gets to us, it's, it's too far down the road. Two years, that might seem like a long time to you but in government, that's like a week. So, I just, that's all I'm really looking for is us being notified. I want to be able to have the ample amount of time, if we need revenue, resources, whatever it might be. We have to have, we have so much stuff that we, we're going to do together, and we would have to hire a staff to handle it, then I want to know and be prepared for it. I don't want to have to, I don't want to be reactionary to decisions, I want to be out forward looking at it, to be able to set the resources up and prepare for it, that's all I'm looking for.

Vice Mayor Sachs stated do we need a motion to (inaudible).

City Commissioner McGuirk simultaneously stated well I don't think we..., I've heard three different things. I've heard, Commissioner Holcomb's issue is notice, Commissioner Britz-Parker's septic tanks, and you kind of touched on... So I kind of want to try to reel this in a little bit and take one at a time real quick if we can.

Commissioner Holcomb stated go ahead.

Commissioner McGuirk stated Commissioner Holcomb, you're talking about being noticed and somehow the City and the U.C. communicating to where you guys are blindsided by a City Project and you're, we're like we're doing this, hurry, hurry, hurry. Right, do I hear you correctly? I'm all for that and I just think that we need to articulate at this meeting a, at least some kind of way that that's done, some kind of process or procedure. Now I'm going to go out on a limb here and I'm going to add to this, I would like to see a City liaison and a U.C. liaison. I hear what you say by once it's coming before the Commission it might be too late, but I can tell you we started talking about the very basic Islesboro and approving it a year ago or so, it had been a long time. So, if, I would like to recommend that the Utilities Commission has a liaison that comes to the Commission Meetings. And I want the City to have a liaison that attends the U.C. Meetings. That's just, at least some kind of stop gap, assurance gap that says if the City Commission is talking about something and there's a representative from the Utilities Commission in the audience, there're like wait a minute, this sounds like something we're talking about developments, stormwater, sewer, something. The person in the audience is going to be like whoa, that sounds like something that would involve us, they can immediately get involved and make sure this is a stop gap check and balance.

Commissioner Holcomb stated but, but to your point, you said about a year ago.

Commissioner McGuirk stated right.

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Commissioner Holcomb stated a year ago, I think it was the May meeting when we got together...

Mrs. Brangaccio interjected I'm sorry, but the meeting happened with your staff, we did exactly what you've outlined.

Commissioner Holcomb stated all right, so, so...

Mrs. Brangaccio continued, it happened, it just didn't get up to your level.

Commissioner Holcomb stated okay.

Chairman Biedenbach stated hold on.

During simultaneous comments, City Commissioner Reiker stated that was my point Commissioner Holcomb, that was my point.

Chairman Biedenbach stated whoa, whoa.

Vice Mayor Sachs stated we're getting confrontational, one is the man, let's, let's, wait, hold on, yes.

Commissioner McGuirk stated Commissioner Holcomb's in the middle talking.

Vice Mayor Sachs stated ladies and gentlemen, can we, can we hold off for a second, everybody's got great points.

Chairman Biedenbach commented use the gavel.

Vice Mayor Sachs continued, City Commissioner McGuirk you may have been here a few more times than I have, let me just, until the Mayor sits down and would like to convene. A great point was brought up by Commissioner Britz-Parker, Commissioner Holcomb also good point, Chairman Biedenbach, excellent point. I see maybe a, an effort to have better communication more often so that we can work together and get these projects going. And I see our Mayor smiling, coming in. We had a...

Unidentified person commented, you're going to need that, to Mayor Hathaway.

Vice Mayor Sachs stated yes, you're going to need that, exactly, but we have a few different issues. The times that we meet, should we meet more often, and Commissioner Holcomb would like to be noticed on projects, correct?

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Commissioner Holcomb stated right, but, but to Mrs. Brangaccio's point, so when you do notify us, to your point, you notified us.

Mrs. Brangaccio stated without question.

Commissioner Holcomb stated we didn't, now what's going to happen is we're going to create policy internally with the U.C. that when you notice our CEO, he has our next meeting to let us know that you need our participation.

Mrs. Brangaccio stated right.

Commissioner Holcomb stated so then we can start to direct them to work with you guys, that's all I'm saying, that step didn't happen, it didn't. I can't go back and fix anything, I can only move forward.

Mrs. Brangaccio stated Commissioner Holcomb, I don't think you were here too. We also had a, the conversation started in a Joint Meeting back on April 30, 2015, and we also followed that up with a full presentation on the Islesboro Project at a Joint Meeting in April, 2016.

Commissioner Holcomb stated right.

Mrs. Brangaccio continued, so the conversations occurred. The conversations on septic, myself and our Assistant City Manager have met with your staff going back to 2012, asking for a plan to address septic systems. So everything you're saying is music to our ears, we already have our Assistant City Manager as a liaison, he attends all the U.C. Meetings so.

Commissioner Holcomb stated yes.

Mrs. Brangaccio stated we're just on point, I just, I just want to go on record that we did meet with your staff and we did discuss this at joint meetings over a year ago.

Commissioner Holcomb stated no, but we've got the agreement, we're moving forward, so where we, what we're setting up right now is the process moving forward. That's all I'm looking, and I get it, so I'm not going to go back and correct what's already done, I just want to, I want to move forward with (inaudible)...

City Commissioner McGuirk interjected talk about going forward, let's not worry about the past.

Commissioner Holcomb stated right, that's all I'm looking for.

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Mrs. Brangaccio stated exactly.

Commissioner Holcomb stated that's all I got.

City Commissioner McGuirk stated so I just want to make sure that we clarify the procedure. In other words, you're going to, your CEO's going to get noticed, the next meeting you're going to bring it up, and this is, it's going to be brought up to you at your meeting. And this is where I think that we need some liaisons in the audience, I think that we attend these meetings regularly, is that accurate, I'm not sure.

Chairman Biedenbach stated that is a correct statement.

City Commissioner McGuirk stated and, and I think that's really good and I would also like to see that reciprocated by a U.C. representative in the City Commission audience and so we can at least all try to stay on the same page and hopefully that creates a stop gap if something doesn't go, you know. There should be some accountability by the notices, the meetings, and your meetings, and then what we're talking about in each meeting, each of our Commission meetings. I, I think that's a good step. I certainly would like some feedback on that, I think I'm hijacking your...

Commissioner Holcomb stated right, we would just keep that like we have Swoope, every, all our capital projects moving forward that we've agreed to, and to Mr. Mitchum, we just keep it in your General Manager's Report, and you add to it so, we did that, we started that a year ago with Swoope and all them. Basically every time there's an update you take that and you update in that report, so I know where to look if I want to check up on Swoope I go to that report and I look for it and I can see what updates are being made and I can follow the progress down the road. Pretty simple, that's all I'm looking for.

Vice Mayor Sachs stated Commissioner Holcomb you have concerns about, going forward now, we're talking about Islesboro in particular.

Commissioner Holcomb indicated yes.

Vice Mayor Sachs stated okay, so, so we're good on everything else in this list, Swoope's, and the other CIP Projects.

Commissioner Holcomb stated we've got an agreement with Islesboro as far as I'm concerned, right, we're good with...

Commissioner Davenport interjected we have an agreement but it changed like you said on the interest and so forth that was...

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Commissioner Holcomb stated well, moving forward on projects, I don't want to go back and muddy the water with that, I just want to move forward on addressing the new projects that we're (inaudible).

City Commissioner McGuirk simultaneously stated well, let's take one issue at a time Commissioner Holcomb, you brought one up, Commissioner Britz-Parker brought one up. And I think Commissioner Holcomb, the best thing to do is, does that, I think that makes sense for, I can agree to that, I like that. I don't know how the rest of my Commissioners feel. And I've thrown out at it, on top of that I'd like to see a representative in each meeting from each other. Let's, let's just...

Commissioner Britz-Parker interjected I'd like to address that.

City Commissioner McGuirk stated let's have some kind of consensus one issue at a time so we can make some progress.

Commissioner Britz-Parker stated I think it's a great idea to have a representative of the Utilities Commission at every City Commission meeting just like the Assistant City Manager is always at a U.C. Meeting. That's good, you just learn, even just not meaning to, you get caught up in what you're doing and you could maybe fail to communicate something that you really meant to, but if a representative is there, you learn a lot from that and I'm sure that's why the Assistant City Manager has been attending our meetings. I think that we should have someone of a similar, at a similar level as the Assistant City Manager attending all City Commission meetings. I think that would be extremely helpful, not just say hey, if you want to know something, read the General Manager's Report. That's like somebody handing me a budget and saying here you go, what's your problem, just look at this, you know. It's, I would like to see us have a representative.

Vice Mayor Sachs stated and just, as for Chairman Biedenbach's comments, do we have an appetite for more meetings together face to face?

City Commissioner Reiker stated well I think we're still on this other, let's do one thing at a time.

City Commissioner McGuirk also stated to Vice Mayor Sachs, we're still kind of working on this one issue, let's get some consensus either to do it or not do it.

City Commissioner Reiker stated yes.

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Chairman Biedenbach stated to Commissioner Britz-Parker, bring it up at the next meeting, March, three weeks from now. Are you going to be out of town in March, is that, did I remember you saying, or are you out in April.

Commissioner Britz-Parker stated I'm out in March but I'm going to participate via phone. But to make sure we can't, do we have to make a motion to, I mean we can't do that tonight?

Chairman Biedenbach stated well, when you're, when you're pushing staff out like that, we've got to talk some budget numbers because, because you're talking about City Council meetings twice a month, run normally a couple of hours Mayor?

Mayor Hathaway stated well first of all let me apologize, it was totally on me, I misread my agenda packet, I thought it started at 6:00. I apologize, thank you City Attorney for calling me and making me aware because I would have sat there in my house for another 30 minutes had he not called me. And I got some good news, my daughter-in-law's going into labor so tomorrow I may have a new granddaughter.

After applause from those in attendance, Chairman Biedenbach commented you're remarkably cool grandpa.

Mayor Hathaway stated this will be the fifth one so it's not the first one so we'll, we'll... But in regards to, and let me just make a point here, and I'm not, I'm not trying to muddy the waters. But we're talking about dollars and cents in terms of putting staff, U.C. staff or a U.C. Commissioner sitting at a City Commission meeting that are normally about two hours, normally, and we were out of there last night around 9:00. But I'm looking over at Dale Paternoster here as a stenographer, and I'm not trying to take any money out of Dale's pocket but I'm just curious. Here we are two boards working together in the City of New Smyrna Beach and we have a court stenographer in here, which isn't free, especially if she types this thing up or has it typed up. I'm just curious as to what's wrong with our audio system here, why isn't that, we can't record this stuff, we can't put it on a disk, we can't, make, take minutes. I mean, I, I'm just curious about that aspect and I'm throwing that out because we're going to talk dollars and cents, let's talk dollars and cents about the City Commission sitting down with a Workshop with our Utilities Commissioners. We can't talk one on one without having to have this, this transcribed. I'm just throwing that out, again not trying to muddy the waters.

Commissioner Davenport stated well, now that you've brought it up, it's a little confusing to me, I'm looking at that thinking I'm in court again, you don't know.

Mr. Mitchum stated if I could address that sir, there has been quite a while since we've have a thing in here, we've had some issues, a lot of construction going on. There were questions

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

about our microphones and everything, whether they would be working, the audio system perfectly. We decided it would be prudent to have a reporter here.

Mayor Hathaway stated well the reason I bring it up because this isn't the first time ya'll have had a court stenographer at one of these meetings. We've had joint meetings in the past where we've had a court reporter doing stenography and it's not because of a bad audio system or a bad recording system. It's just something that the U.C. apparently thinks it's a necessity to have and I'm just curious as to...

Mr. Mitchum stated well to address that one also, the last one we had was at your place where you did have issues with the recording system and we tried to get a recording it was not available, that's why we had a stenographer there.

Mayor Hathaway stated and again, I'm not so sure the necessity, under Florida Sunshine the requirement is minutes, and minutes are taken based on the Clerk's position of taking these minutes and posting those minutes. They don't have to be a verbatim transcript, what is said by each member of the board, on any board. I mean, I, I, again I'm not trying to muddy the waters I'm just trying to get to an understanding of, let's, let's not have this concern about he said, she said, we said, they said. Let's just be able to discuss issues openly, honestly, amongst ourselves and see where we go. So, in regard to where we are, and again I'm not trying to take this away from, we're trying I guess figure out how we're going to get a member of the U.C. sitting at a City Commission Meeting versus a member of the City sitting at a U.C. Meeting. And Mr. Resheidat pretty much volunteered to be our liaison, we appreciate him giving up his free time to sit in and bring back information to us. I mean I get your packet and I get your verbatim minutes and I read them. You know, I, I just, to me I think that paraphrasing would be a lot simpler but that's just me.

Commissioner Britz-Parker stated I agree, I didn't know that we were going to have a court reporter here. I don't really like how that, I don't really like how that feels. To me it kind of, when we had a joint meeting with you all at the City Commission chambers there was not a court reporter there. I think it kind of sends the wrong message, you know that it kind of, I don't like how it feels. It feels like, I don't know, that we wouldn't trust each other and that's why we feel it's really necessary. So I didn't know about it, so I think either we have a good audio system or we have it in a place where there is a good audio system and we don't incur that expense. To address what Chairman Biedenbach said, I would imagine that if an employee of the Utilities Commission was tasked to attend City Commission Meetings it would be someone that was in more of a management position, that is salary, and they don't get overtime. So it's not, you know, I'm sure Mr. Resheidat doesn't get any extra money when he attends this because he is a member of management and he is a salaried employee. So I would think someone of a similar level would be doing that if we as a body said that we wanted to have someone from the Utilities Commission be there. And I think that's a very

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

good start because nothing really significant's going to get done by the City when it's not talked about in a City Commission Meeting, and so if we have a representative there then you learn a lot. So I personally would like to see if we have any, and we don't have to decide who it's going to be but I, I hate to wait another three weeks to make such an easy decision. That if, if we think that's part of the deal of making that happen then I'd like to, if I can. Can I make a motion, are we a duly convened meeting, can we actually pass things at this meeting.

Mayor Hathaway stated it's called a joint, special joint meeting so under, under City Commission rules we can make a motion, so I assume you can do the same.

Commissioner Britz-Parker stated to Mr. Preston yes, correct?

Mr. Preston stated yes.

Commissioner Britz-Parker stated okay, so I'm going to make a motion that from this point forward that someone with the Utilities Commission is tasked to attend each City Commission meeting and, there you go, that's my motion.

Commissioner Davenport stated I'll second that, bring feedback to us.

Chairman Biedenbach stated I'm going to have a problem with that Commissioners Britz-Parker and Davenport, until the five of us sit down and talk about it and make sure that that's exactly the way we want to go. Because if we could do it electronically, or pull the minutes out, or if we task Mr. Mitchum and Mrs. Brangaccio. If Mrs. Brangaccio does her part and Mr. Mitchum does his part, then we are notified. Mr. Mitchum will notify the five of us. I'm not looking to create any extra work for some staff member or one of the Commissioners. We're all busy, and staff is all busy, I understand your point that we have, that they are a salaried person but I'm not so sure that I'm looking for them to spend an extra four hours a month doing something that I think there is a good way to get it done and I'm, I'm not going to be in favor of that motion that you two made; that's my two cents worth.

Mayor Hathaway stated perhaps a better mechanism would be is that if there is a capital improvement project that entails U.C. issues, that our Manager or our Clerk would notify your staff that this is going to occur, would you like to attend. At that point in time I would suggest that it would be wise on your part to attend so that you could give... We have, obviously, if it's nowhere (inaudible) reading, you get up, get to speak on it, if it's a...

Commissioner Holcomb interjected that makes all the sense in the world to me, so if you will notify us when a CIP Project is going to hit the agenda we would, I would think we would want to be there and hear that. So let's amend your motion...

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Commissioner Britz-Parker stated yes, I was just going to say that, I'll amend it to that.

Commissioner Holcomb stated all right, there you go.

Commissioner Davenport stated second.

Chairman Biedenbach stated to what you said sir.

Mayor Hathaway stated and that's fine and I can promise you that if an issue comes up..., now I'll tell you this, there can be issues brought up by a City Commissioner on an agenda that chances are, I mean if it's something that really entails an awful lot of dollars and cents and issues, it's going to take several meetings before we get to the point to where you would not be, you know caught with your..., unaware of what's going on.

City Commissioner McGuirk stated I'd just like to make a brief comment on that. If however the motion goes, it's at least progress, but what I'm trying to solve is the issue of who said, he said, she said. And so someone is going to say they didn't get it or they did get it, or they got it but not enough time. And the whole point of putting someone over there in each meeting every time is you're eliminating or drastically reducing the ability for someone to say, get in for that, get that tit for tat going on which is what I see. So, I, you know, either way the motion is at least progress but I don't think we're solving the fundamental issue of we've got two sides that seem to disagree with each other on every little detail. So if someone's always there, there's no issue of well we got it but it wasn't enough time, our person was out of town, our person was busy. I see that coming and I guarantee you one day I'm going to be back at this table, or I'm going to be in the public comment and I'm going to hear those issues and we're going to be all back at it again; just saying.

Commissioner Holcomb stated and that's where the multiple meetings helps because when you have that problem then we're going to bring it up and we're going to stop it. We're going to go back and we're going to get back to management and we're not going to allow it. So that's just called, we're just, we need to be involved and notified, that's the one thing that, all I want to know is I want to be aware sooner than later and then I want to make sure that we're working with our staff to make sure that we... I want to be open and working with the community and the City to solve some of these problems, that's it. It doesn't mean we're saying yes to everything but it means we're going to participate and we're going to, I mean with an open mind, and we're going to look at things and if there is a way we can do it and be a good partner then I don't see any reason why we shouldn't do it. That's, that's where I stand.

Chairman Biedenbach stated Commissioner Britz-Parker...

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Mayor Hathaway interjected well, I can just say that our staff when they notice us, if your staff doesn't, if you want to be noticed...

Commissioner Holcomb stated yes, I'm going to get...

Mayor Hathaway continued, (inaudible) your emails, individual emailed, that can certainly be accomplished, if you want to, I mean that's...

Commissioner Holcomb stated right, yes, that's (inaudible)...

Mayor Hathaway continued, I don't know how many times, how many emails you guys want to receive or that type of thing but you could easily be noticed.

Chairman Biedenbach restated Commissioner Britz-Parker, your original motion was you wanted somebody there all the time, you have amended to your motion to when we are noticed that somebody shows up. Is that a correct interpretation of what you've changed to?

Commissioner Britz-Parker stated yes.

Mayor Hathaway stated you need a second.

Chairman Biedenbach continued, Commissioner Davenport are you okay with that on your second.

Commissioner Davenport stated yes, second.

Chairman Biedenbach stated all right, Mrs. Simmons you want to call the roll please.

Mrs. Simmons stated sure. Commissioner Britz-Parker's previous amended motion then was passed unanimously by the Utilities Commission.

Commissioner Griffith stated Mayor Hathaway, Chairman Biedenbach, we would still do minutes.

Chairman Biedenbach stated oh, absolutely, yes.

Commissioner Griffith stated get something, get a recording, I mean we just voted on this but I just want to make we understand that we will have a course to go double check if we get into issues.

City Commissioner McGuirk stated thank you, I appreciate it.

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Commissioner Griffith continued, so we will have minutes (inaudible) for us. Thank you.

Chairman Biedenbach stated Mayor, you should be running the meeting at this point.

Mayor Hathaway stated well, where are, have we gotten past number one yet, I want to be sure that...

Chairman Biedenbach stated we had, we had one more thing and that was joint meetings every six months and I proposed that we do it the month after the appointments and the month, and then one in the middle like April or May and then one after the elections. And if we can all look at our schedules or just somebody pick up a date, pick a week.

City Commissioner McGuirk stated I'm willing to go pick a fixed date right, two fixed dates right now and we'll go with that.

Mayor Hathaway stated well no one knows what tomorrow may bring, no one knows who will be here. Emergencies come up, people get sick, it is what it is.

City Commissioner Hartman stated so then you move the meeting date.

Chairman Biedenbach stated yes.

Commissioner Holcomb stated identify the month, and let's move, stick to the months and tighten the months up. So if you want to identify two months.

Commissioner Griffith stated it's in October, October of this year.

Chairman Biedenbach stated the next one is October because that'll be the month after the appointments for this board.

Commissioner Griffith stated right, and then March, April.

Chairman Biedenbach stated and then April of next year.

Commissioner Holcomb stated right.

Chairman Biedenbach stated okay, is there, is there a better week in the month for you guys at the City.

Commissioner Holcomb stated we can address that, I mean.

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Mrs. Brangaccio stated I would just let the City Clerk work with the CEO's office, give him some months and they'll, they have all your calendars, and they're very good the two of them at working together and coming up with (inaudible).

Chairman Biedenbach interjected okay, you've got the months.

Mrs. Brangaccio stated we've got the months, what I had was spring and fall, well I had seasonal, I had spring and fall.

Chairman Biedenbach stated that's good then, and confirmed Mrs. Simmons had them. Okay, I'm done.

Mrs. Brangaccio stated Mayor, just one quick suggestion too, and I think this is on our side and it could go a long way. The U.C. staff always comes prepared to our budget meetings to present their budget and their CIP. You all are very kind and usually spare them not having to do that, usually because of time constraints. I think it would be very important since they're always prepared, is if we give them that ability and privilege to do that, because they're sitting there waiting to do it. So when we have our, our budget workshop, whatever works for this Commission, either it's the one at the end of July or the first one in September, I think we really need to make time for him to make that presentation. Because he's made it already at this level and he's got the same level of detail as your staff has in our City budget. So I think that would help a lot in terms of that communication, understanding, because they are doing a lot of projects and the questions we always get are on the upgrades and Mr. Mitchum always has an answer on that in terms of the projects that they're doing; so that may go a long way in terms of you all (inaudible)...

Mayor Hathaway interjected well, then we would need to have that occur prior to a regular meeting because we're not going... If there are really true questions that need to be asked of the U.C., I don't want it to be to the point that we're drawing out a regular City Commission meeting in the process. So if we want to have a meeting prior to the City Commission meeting that deals strictly with U.C. budget, that's fine, the Commission will deal with that, say an hour, probably about an hour or so, but prior to a City Commission meeting, let the U.C. give their presentation. And any questions that the Commission, joint Commissions may have of that presentation is fine.

Commissioner Holcomb stated to Mr. Mitchum, is there anything else that you would at that, I know you've always talked to me about really aligning our CIP's, having the City have an understanding of what our, and we've learned a lot in that last, you know, presenting our projects to us in the last couple of months so. Is there something that you'd look for that you need from the City or would like them to acknowledge you know when you're presenting that?

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Mr. Mitchum stated well, like I said we present our budget to them, which the CIP is a part of that, I believe by May 31<sup>st</sup> or June 1<sup>st</sup>, something like that, and then we go to present it in September I believe when they do vote on it. We haven't done that presentation recently but we've been there prepared to do it. I think that I agree with Mrs. Brangaccio that that would be a good idea that we do that, whether it's done at a regular meeting or a special meeting, I don't have any issue with that.

Commissioner Holcomb stated okay.

Mr. Mitchum stated but as far as the stuff together, especially Engineering staffs are well informed, you know what they're doing or what the City's doing in the meantime, they work very well together. The issue is when it goes beyond that, maybe money discussed or something else, when it gets to this level is where it seems to bog down a little more. The staffs have no issues whatsoever communicating, they know what the projects are doing, they work together, Central Beach was a very good project. It's just like I said communication, like you said, is a big part of it.

Mrs. Brangaccio stated I would say the same thing, our staffs just met again today. They're together every week, they review every project together. The U.C. sits as a full member of both our pre-application process as well as our site plan review process. We meet, literally our staffs are meeting every week on every development, everything you see a development agreement on is usually moving forward in terms of the site plan or plat issue in terms of City. Where this, where the rubber's hit the road, and Mr. Mitchum said it, there are policy decisions that we can't, the four of us can't make. And that's what comes up to your level that does get a little dicey because we haven't been able to agree, and that's why you all, all ten of you are here, at least that's the way I look at it. You know, Mr. Preston and Mr. Gummey, are, you know they, they do what they're paid to do in terms of giving their legal opinions and Mr. Mitchum and I work within the parameters that we've been given, but there are things that come up that have to come on to these policy boards. And that's really what's ridden up, I don't think we had, I think that many problems on the agreement on 44, probably, I don't remember, not, yes, a few minor, we got through that one, we got through Islesboro. So we, we see each other, our staff's do, you know, weekly. We're, we are working together, when (inaudible) fuss at us about the developer review process they fuss at me, I'm sure as much as they fuss at Mr. Mitchum. You know it's either something my staff did or something Mr. Mitchum's staff did, we hear the same comments, you know, pretty much from everybody. You know, but yes, they do get along, it's just that yes, we get in each other's way sometimes, we worked through the North Causeway. That was not anything that the U.C. did intentionally, they had a large piece of equipment break, they were stringing new cable to improve the service basically to the beachside and they had a, you know something that could happen to anybody on a capital project and yes, it delayed their project as well as delaying our project. So things happen and I think what, what we're hearing, what

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

Mr. Mitchum and I are hearing is that we just need to get you guys into that loop sooner, as they happen is what you're saying. If there's a red flag going up you want it to come all the way up sooner.

Commissioner Holcomb stated I just, I like to know things before the only solution is writing a check. So I know, like I said you always keep me out of the deal until the only, the only thing left to do is a financial consequence. And I, I just like to before I, we make decisions, where we're going to comingling processes, assets, whatever it might be, resources, that we're, that we just have a little bit more time. So I agree, I hope it works out.

Commissioner Griffith commented nobody likes surprises.

Commissioner Holcomb stated right.

Mayor Hathaway stated so have we reached the (inaudible) portion of the establishment of parameters for the U.C. determined mutually beneficial projects, have we reached that point of an understanding or not?

Commissioner Holcomb stated if we're notified yes, because we can then start to vet the request, we can start to push back to our staff on what is this, what are they going to need from us, what are we going to need to participate sooner than later, we can get things in budgets, we can get resources, staff allocated to where we might need you. There's just oh, hey go do this and by then by the way we've got nothing else going on, saying, you know I just, a little planning doesn't hurt. That's all I'm looking for, I'm an advocate Mayor Hathaway, work with me.

Mayor Hathaway stated I'm, I'm working with you, I just, and I hate to bring this up but I'm concerned about a letter that was sent over in the packet dated..., what's the date on this thing, February 6<sup>th</sup>. And in it, it kind of goes against some of the parameters which we're trying to broach and that... I'm not trying, again I'm not trying to muddy the waters I just want to make sure that we can openly discuss if we have a difference of opinion on what is being processed by the legal side of the Utilities Commission and what is being discussed by Utilities Commissioners and the City Commissioners.

Commissioner Holcomb stated well what we've looked, we've, we've actually tasked, tasked a Commissioner, which Commissioner Britz-Parker and the CEO are going to look to other U.C.'s and other counsel to advise us on how to work hand in hand with the City, how other cities and communities deal with these issues, how we deal commingling our projects, commingling our resources, how does everybody else seem to pull it off and we don't. So last, at Monday in our meeting, we made that motion. They've got 60 days, they're gonna go out and they're going to reach out to people and try to figure out if there's, if there's a way we

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- (1) Discussion RE: City of New Smyrna Beach Capital Improvement Plan and Utilities Commission Capital Improvement Plan – Establishment of Parameters for the U.C. Determined Mutually Beneficial Projects (cont.):

can work. It's got to be easier to work, I've got to believe these projects can get done easier than they're, what's going on here in the last... I've only done it, I've only been here a year, been here a little bit over a year.

City Commissioner McGuirk commented been that long?

Commissioner Holcomb stated yeah, right. And I, but I just think there's got to be an easier way. And, and there's been no push back and that was with Mr. Mitchum last week and at no time at that meeting, at one of the meetings was he opposed to a better way so, I feel excited about what those two are going to do and we'll see what they come back to us with. I think Orlando is one of the utilities, they're, they're the Orlando, the City of Orlando and the utilities over there are a great reference, I think we've already got some resources, we can talk to them there, to kind of look at how they solve these same problems. That's, that's what we're doing to try to figure this out.

Mayor Hathaway stated very good, thank you, I just wanted to make that clarification so that we're all on the, we're all working together on the same goals. All right, so I guess we have finished then number one, correct, everybody through with number one.

There being no further comments Mayor Hathaway proceeded to item number 2.

- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking:

Mayor Hathaway stated number two, discussion of the final abandonment of U.C. operations, fleet maintenance, on the Swoope site to accommodate the city's additional expansion phases for boat ramp parking. Who wants to tackle that?

Mrs. Brangaccio stated we have a powerpoint but I don't want to go through the whole thing, I just want to pull up, there's a slide that shows all the phases. And then the I.T. person that was here, something that turned off (inaudible). We're just going to show, we're going to pull up a diagram real quick. We, or you guys are all familiar with this project, we're just going to pull up the diagram. You see the one that says Swoope, I can't find it, you're pulling it up for me over there. Go right on through, you tell me when I, this is where I can go frontwards on as well. Am I good now, keep going, keep going, that's good, that's perfect, that's exactly what we wanted. Our Assistant City Manager met with our Florida Inland Navigation District Volusia County rep. We're required to meet with Suzanne before we submit for the grant. This spring we're going to be submitting for construction dollars, 50%, from Florida Inland Navigation District. The City is, is obviously paying the other 50%. You all are aware of the

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- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

existing parking. There are three elements to it, the demolition is currently occurring on the Swoope electrical facility.

Mr. Mitchum stated I'd like to talk about that.

Mrs. Brangaccio stated go ahead Mr. Mitchum.

Mr. Mitchum stated the demolition is complete, so down in that lower middle section that's all clear.

Mrs. Brangaccio stated yes.

Mr. Mitchum stated I'm not sure as far as the County's a little bit above that in the red area, but all the generation site I believe, we are just about ready with the last payment on that one and that site will be vacant.

Mrs. Brangaccio stated yes, okay, Mr. Resheidat and the U.C. staff have met on site, we're going to accommodate some changes that need to be made in some of the fencing. We're actively talking with the County about what they're going to do on the reef storage. In their defense they did give us money to originally build the project as well and we did sign a long term agreement with them so we are working through literally helping them to try to find a site. They're storing reef material, if you've all been out there you've seen it. It's what they're using on their artificial reef program. So I think the question from us and I think it's one that Mr. Mitchum and his staff have been working on, is what about the Fleet Maintenance facility. She then asked Mr. Resheidat if there was anything he wanted to add.

Mr. Resheidat stated yes, but just to add we also have Volusia County Coastal Division, they canceled their meeting with the utilities. As you know with the power generation site, would be extending that to the north, we wanted to have 42 spaces out of this phase coming. Volusia County, they're looking for sites. Right now we have some storage material, it's actually, it sits on...

Mrs. Brangaccio stated to Mr. Resheidat, we've got one that has the spaces on it.

Mr. Resheidat stated yes, if you move to the next one it shows the whole thing.

Mrs. Brangaccio stated yes, keep going, there, there we go.

Mr. Resheidat stated right now this is almost like somewhere in here, so we have to move the fence and move it out to get these 42 spaces.

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- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

Mr. Mitchum stated and I believe we have, can accommodate that, correct.

Mrs. Brangaccio indicated yes.

Mr. Resheidat continued, eventually when we have all the three phases as you see it, noting the 35 spaces we have existing, we'll have over probably about 150 spaces there. We have 35, 42, and then 32 from where the fleet maintenance and then we'll have 56 where the County's artificial reef was stored. This phase, the 42 that as the City Manager had mentioned, we will be applying for the grant coming April. We will find out probably sometime in October, the month over we have to sign the agreements, it goes out to bids and hopefully we'll start construction on these 42 spaces sometime in March or April. And hopefully by the end of 2018 we will have the construction completed on these 42 parking spaces.

Chairman Biedenbach stated Mr. Resheidat do you need, do you need anything from us other than... Mr. Mitchum did I understand you correctly that we can accommodate the extra 8, 9, 10 spaces there.

Mr. Mitchum stated it is my understanding yes sir, that we can accommodate that first phase.

Chairman Biedenbach added with no problem.

Mr. Mitchum reiterated with no problem.

Chairman Biedenbach stated all right, is it going to cost us anything Mr. Mitchum?

Mr. Mitchum stated not aware of it at this time, I think it may be moving some stuff, some fence or something but I believe they're moving that.

Mrs. Brangaccio stated we, we actually said that we would work with you on that.

Mr. Resheidat stated Mr. Biedenbach, we have, when we met with the U.C. staff, right now we have electric gate that is kind of, was (inaudible).

Mr. Mitchum stated right.

Chairman Biedenbach stated I'm familiar Mr. Resheidat, go ahead.

Mr. Resheidat stated with this phase that you see, the 42 spaces, you just have to relocate the gate and that would be included in this project, so...

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- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

Mr. Mitchum stated right.

Mr. Resheidat continued so it is nothing that the Utilities Commission caused, there is a power pole at the south end of the 42 spaces, phase one, that it has to be relocated in order to accommodate the tailing movement for the trailer parking. So it shouldn't cost, I mean besides what they paid to demolish and decompose their power generation site it shouldn't cost them.

Commissioner Holcomb stated so what, we still need to be out of the building in July. Because I thought, I thought that was, we would be completely done with it, is that something that has changed. I mean if we accommodate that space then necessarily we don't have to be out...

Mrs. Brangaccio stated you, no you are out of where the old electric plant was.

Commissioner Holcomb stated right, but, but the maintenance facility, do you still want us out by July?

Mr. Mitchum stated do you mean up by the blue area? He continued yes, it's up in the blue area and we are not, we have not vacated that at this time.

Mr. Resheidat stated it's still there.

Commissioner Holcomb stated right, but I, I thought you needed us out by July of this year.

Mrs. Brangaccio stated we, we would love it because it's less expensive if you're bidding out you know the additional second phase with the first phase but we're obviously working with your staff, they've given us that ability to get that extra ten spaces and move the fence and the gate.

Commissioner Holcomb stated okay.

Mrs. Brangaccio continued, and we continue to respect that you know that you need to have time and look at options and (inaudible).

Commissioner Holcomb stated to Mr. Mitchum where, where are we at with leaving.

Mr. Mitchum stated we are working on that, we will not be out by July.

Commissioner Holcomb stated so, so give me an idea what we're talking.

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- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

Mr. Mitchum stated we are looking at a lease option right now, but also planning to build, so I mean, the fact that they're not bidding until 2018, sounds real good to me. The part as far as a lease option right now, we're still looking at it so I don't have a date. But we will not prevent them from moving forward.

Commissioner Holcomb stated okay, and we, we're very confident that we, when they do need us out, whenever the building's knocked down, we'll be gone.

Mr. Mitchum stated I have confidence in that.

Commissioner Holcomb stated all right.

Commissioner Davenport stated with all this that we're doing, the City's doing, is there only going to be that one, if you will, boat ramp for the 165 spaces or are they going to put them more. I see...

Mayor Hathaway stated we have the existing boat ramps on the Causeway that exists now.

Commissioner Davenport stated you've got a 165 up there, that's going..., I see a problem.

Mayor Hathaway stated well there's always going to be a problem. You know how we're going to control that problem, the City Commission's determining whether or not to do the same thing with our Orange County and our Seminole County visitors that we have done with our parking program on the beach side. We're looking at bringing that before the Commission to determine whether or not we want to charge. We can't charge anybody in the FIND District because we take FIND money, but we can charge those individuals that aren't in the FIND District, and basically that's your Orlando crowd, from Orange County and Seminole County, and with dollars and cents that are collected from, from those, basically both parking fees, you can do two things. You can maintain what you've got and you can go out and look for other property. Now whether or not there's any other property that we can find for parking, that's, that's a, that would be another catch all. I mean I don't see where you're going to have an opportunity really right now in New Smyrna Beach to put more parking on the water itself. But that doesn't preclude you from finding parking from another location adjacent to your, your launch facility where you can then have some type of a jitney service that transports those individuals from point A to point B, that they would again pay for. But that's, again in the future, we have a lot of things up in the air.

Chairman Biedenbach stated Mayor, is there any room for two more boat ramps there.

Mayor Hathaway stated well, Mr. Resheidat I think. The only other spot would be on the canal where they used to load that, the, the barges.

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- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

Mr. Resheidat stated we know that, the original design, what we wanted to do is to have the ramp is actually on the south side. It seemed like it's more of a calm area, it's like an enclave, you could use it as a staging area. DEP, when we met with them initially, when we built the first stage, they were just totally opposed to have it on the south side because there's some environmental issues; doesn't mean you can't do it. But they wanted to have it more on the east side which, where the channel is, some of these floating docks they go almost about five feet up in the air when you have waves there. So I guess we have to probably, environmentally permitting would be very difficult, but out and around over here but you would lose some spaces as well.

Mrs. Brangaccio stated why don't we talk, why don't we talk to the County about their site that they're leasing from us because they are launching from there. That might be a little bit more comfortable through DEP and it might well be a long term negotiation issue with the County, they might like that, it might help sweeten the pot Mr. Resheidat in terms of their moving quicker.

Mayor Hathaway stated is that cooling vent still over there, the cooling vent, the water vent that use to come in on, on that canal, is it still there, does it still exist?

Mr. Resheidat stated I'm sure, I'm sure when we go for this phase that we'll probably find, because right now their contract is to if you have any dredging or whatever, they use that channel there.

Mayor Hathaway stated right.

Mr. Resheidat continued, and they stage out of here, and they've been talking about it. Every time we go and apply for a grant they keep mentioning that, are you going to be able to have it, so I'm sure when we get to that point, that probably they want to keep that area for them.

Mrs. Brangaccio stated I see.

Mr. Resheidat added, but for the use of them.

City Commissioner McGuirk stated I'm not sure is this is relevant or not, but the last FIND meeting I went to, it was, it was stressed to me that this is a very unique site and that there's nothing like it on the east coast of Florida and so FIND or the County or whoever's in charge of this program, they certainly would like to find a way to be able to have some space there. And I just see that as an opportunity to partner with, either the County or a State agency to be able to find solutions, long term, for all of our problems. The more people who, anyway, I just wanted to make, make you aware of that, is one of many conversations I have, when you

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- (2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

pop up at a meeting and you forget you know to pass it along. The, the desire to want to still operate out of here is, is very strong.

Vice Mayor Sachs asked City Commissioner McGuirk, they want a dedicated ramp for themselves or dedicated...

City Commissioner McGuirk stated well they're not..., they want to talk about it, you know they're, essentially they'll take what they can get. But the artificial reef program, close to us, off Volusia County, there's a lot of benefits to everybody, so I think my long term vision for this is somehow to mitigate and somehow get some additional upland, which I don't know if it's even possible any more. But the long term overall value, in my opinion, outweighs the small, relatively small space that we would have to fill to get additional upland.

Vice Mayor Sachs stated thank you.

Mr. Resheidat stated this, this (inaudible) shows in order to maximize the trailer parking spaces on the site, because of what we're losing. We will be losing on the forward flow parking that they (inaudible). So this plan, it really just, it maximizes the trailer parking throughout the site, and that's assuming everybody has relocated the site and out, like the Fleet Maintenance and the County.

Chairman Biedenbach stated did I understand you correctly, that the County is renting that property from the City.

Mrs. Brangaccio stated yes, we have a long term lease with the County and part of that long term lease, they did provide dollars towards the initial construction.

Chairman Biedenbach stated long term meaning what Mrs. Brangaccio?

Mrs. Brangaccio stated I think it's, well that's up for debate (inaudible) continuing with the County, which happens as well.

Mayor Hathaway stated I thought, I thought when we originally signed that lease was that we gave, we could give them notice that they had to vacate within a certain period of time and it wasn't anything longer than like 90 days or six months at the most. So I think Mr. Gummy needs to go review that.

Mrs. Brangaccio stated yes, I think so too.

Mayor Hathaway continued because that was done a number of years back when I was on the Commission, when we did that, that lease.

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(2) Discussion RE: Final Abandonment of U.C. Operations (Fleet Maintenance) on Swoope Site to Accommodate City's Additional Expansion Phases for Boat Ramp Parking (cont.):

Mr. Resheidat stated but at least their staff, they're receptive to the discussion and they're looking to find a (inaudible) location for this site.

Mayor Hathaway stated well I think we certainly understand where we're going with the U.C. on this, the U.C. understands where we're going with this, so I think we're all in agreement that we're all working together smoothly on this project, so I don't think we need to continue to debate this unless there's anything else, anybody else has that they want to add.

Mrs. Brangaccio stated just, just in time frame, we'll go for, when we did the permitting we did the whole site just because it made more sense. You know, you need to know how much you're going to need enlarge your stormwater and those sort of things in terms of permitting agency. So what's up there in the first phase, which is the 42, is what we're going to be asking for the grant in terms of construction. We'll get those dollars in, and basically we'll know for sure in November of 2017, and then we'll be ready to go out to bid. Their next grant cycle, we would resubmit in April of 2018, those dollars would be available, and again after November 2018. So if you're asking for us for a new timeframe on when it would be nice to be able to go for grants for that second phase, you're looking at by the end of 2018.

Commissioner Holcomb stated but I'm, I'm more concerned about when do we need to be gone.

Mrs. Brangaccio stated that's what I'm talking about.

Commissioner Holcomb stated okay, all right, so 2018, okay just so we're all clear.

Chairman Biedenbach stated the end of 2018 Mrs. Brangaccio, for sure.

Mrs. Brangaccio stated yes sir, and that's, that's the grant cycle. It's as easy as that, it's a grant cycle.

Mayor Hathaway stated all right, and so we're all in agreement then and we're all understanding where we're headed on this particular item.

(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements:

Mayor Hathaway stated all right next item is number three, discussion Utilities Commission easement requirements for U.S. highway 1 improvements. Okay, and I'm assuming this is part of the CRA project.

Mrs. Brangaccio stated no, not at all. This is one of those where we're just asking for

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

information. We have a CRA that was adopted two years ago, Tony Otte if you want can just run through the basics of that. But we heard at a site plan meeting a couple months ago that the U.C. is preparing to do major upgrades with regards to utility infrastructure, the electric infrastructure on U.S. 1. Our CRA plan calls for moving toward with undergrounding this, and we do know that that's about \$2 million a year now, a mile. Mr. Mitchum and I have talked about that. It used to be a million a mile, I think sometimes now...

Mr. Mitchum interjected I believe it's gone beyond that now depending on the commercial...

Mrs. Brangaccio continued simultaneously, yes, so we all, we all know it's a very large nut to crack but there is money within the 20 year CRA budget to do that, and something that if this collective two bodies decided was a policy to move forward with, that we would like to see move forward. There's also a FDOT project. Our planning manager sat on a selection committee on Monday. FDOT is spending about \$1.4 million in Sun monies, SunTrail monies, to look at connecting a trail. And U.S. 1 is one of those options from New Smyrna all the way basically up to 400, utilizing right-of-way on in their case Ridgewood, in our case U.S. 1. So, again, we may have some conflicting priorities there, it's very, very early I think in your planning stages as it is in our planning stages that we could all work together. The number one goal in our CRA plan is obviously the enhanced tax value in terms of infill on U.S. 1 and enhancing the appearance and moving forward – 20 year CRA. So we were bringing up basically as an issue for these two boards to be aware of so that when we start talking to staff, because I don't, I don't know. I don't, I don't have your electrical upgrading plan for U.S. 1, that, that is obviously the U.C., but you see the conflict. Tony, the photos are loaded. Florida Power & Light recently did this in Edgewater and if you want to get a view. Can you pull those up for me again of what we're talking about, what it could look like, if have it.

Chairman Biedenbach stated to Mrs. Brangaccio, I asked Mr. Mitchum last Monday at our pre-meeting about heavy power on U.S. 1, so he made the statement to me that we are trying to look at that to close the loop for better service. I didn't understand and then I told him okay, you're going to have to grab me and educate me to the power requirements and where we're coming and how we're going in this town so that I understand when you're telling me better service or less interrupted service if we connect a couple of power stations. Now that's what I remember of the conversation, is that about what you told me Mr. Mitchum?

Mr. Mitchum stated that's pretty close...

Chairman Biedenbach stated okay, so...

Mr. Mitchum continued, yes, we'd like to connect Schoolway Sub. and Field St., I'm sorry, not Schoolway, Airport Sub. and Field St.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Chairman Biedenbach stated so in the next month, in the next month... I'm sorry, go ahead Mr. Mitchum.

Mr. Mitchum continued, it's been looked at as an option of going down the (inaudible) transmission line, probably be with all new concrete poles. A proposed path would be down U.S. 1, on the west side I believe. Another proposed path is down the railroad which they seem to think their land is gold. And other options is going, backtracking through existing, with a "y" shaped, but then again you're not increasing your reliability as much if you have a storm, you know, that falls in one corridor, you're going to take out both power lines. So that's some options, very early stages we're looking at.

Vice Mayor Sachs stated Mr. Mitchum can I ask you a question, sir I perked up when you said Schoolway. Are you referring to Schoolway on the barrier island?

Mr. Mitchum stated I erroneously said Schoolway, I meant to say Airport.

Vice Mayor Sachs stated okay, yes.

Mr. Mitchum continued, out by the stadium.

Vice Mayor Sachs commented any of those improvements would be welcome.

Mr. Mitchum commented a former employee here, both of us constantly make that mistake, we start to say Airport, we say Schoolway for some reason. But yes, have an Airport sub. and Field St.

Chairman Biedenbach then stated so I'll have a little more for you Mrs. Brangaccio in a couple of months.

Mrs. Brangaccio stated fine. She then stated to Mr. Otte you have the copies of the photos, we're not, on the projector, there's copies for the board members, can you just show what it looks like in Edgewater with the upgraded poles. So all we're asking I think is what you all said earlier, we just want to be part of the planning process, we want to make sure that the U.C. is aware of the goals to improve the appearance of U.S. 1 and undergrounding of utilities which was one of the prime objectives on U.S. 1. We also wanted you to be aware...

Chairman Biedenbach interjected to Mr. Otte, watch that wire.

Mrs. Brangaccio continued, yes, Mr. Otte be careful. (We also wanted you to be aware...) That the FDOT is talking about a major, and they're talking 10-15 ft. trail, they're talking major improvements along in their right-of-way on U.S. 1. So there's just a lot going on that we were just trying to educate you folks on. They've just (inaudible) \$15 million that they've got in SunTrail money (inaudible)...

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

City Commissioner McGuirk interjected so I misunderstood something Mr. Otte, the wires aren't underground in Edgewater. Maybe I didn't, that wrong, I'm like, hmm that doesn't look very good.

*(Ongoing Crosstalk – minimum of two side conversations.)*

Mrs. Brangaccio continued, ...from 400 all the way down to 10<sup>th</sup> street. But this, if you just want to see this is what the new power poles look like in Edgewater.

Commissioner Holcomb stated to Mr. Mitchum, didn't you actually say we were, some of the new projects we were doing were concrete poles, or...

Mr. Mitchum stated yes, we've done some with concrete, what we were looking at, if we moved a major, you know, line we look at concrete. Spun concrete is much better than the square. If anybody remembers Hurricane Andrew down south, these square poles were laying over like matchsticks, all the round spun concrete were standing with no problem. They had insulators that broke and fell off.

City Commissioner McGuirk stated I can, I was down there for that and I can absolutely agree, I couldn't believe in these square, those square concrete pillars were huge and they folded over like matchsticks.

Mr. Mitchum stated yes, that flat face doesn't move the wind or avoid the wind...

City Commissioner McGuirk commented couldn't go around.

Mrs. Brangaccio stated but, but I think we need to have a serious discussion on the future of U.S. 1 is the point, and I think where it's going to come into play even before U.S. 1, at our Commission meeting last night, we had a sweet lady I think Teresa Bowen. The whole area between Julia and Wayne, even Julia and Turnbull, is getting gentrified, I'll use that word. Folks are buying those homes in there and they are turning them around and they are 1914 stuff that looks like it came out of Charles Street in New Orleans, and beautiful craftsman homes. And heck, I should say that the Mayor grew up on Faulkner, did I mention that. But those folks are coming into us and it's an area that we haven't done a lot in. There aren't, and Mr. Mitchum will tell you, there's not a lot of right-of-way up there for any of us to work in those older streets. First thing she brought up was Washington, the only way we're ever going to be able to improve the appearance on Washington is go underground with those utility poles. Because Mr. Mitchum will also tell you there's no right-of-way. We're going to call, actually we're going to call Cory and Associates and go ahead and try to get a survey done. It is not FDOT's, from Riverside to U.S. 1 is the City's, so it's not FDOT. That's the good news, you don't have to get FDOT permits, but we're going to come to our City Commission in this next 60 days and ask them to authorize us to ask the Utilities Commission for a, a budget basically, to underground Washington Street. We are, we are literally moving

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

forward and doing that on the block between Sams and Faulkner now. We've not yet gotten our price on the last few power poles and I know it's going to be expensive. But where we bought the church site that was our commitment was to go underground. And in fact we've taken out already poles that serve the two buildings and have gone underground.

Commissioner Holcomb stated can I ask a question?

Mrs. Brangaccio continued, so we, we pay the freight, obviously not the U.C.

Commissioner Holcomb stated right.

Mrs. Brangaccio stated but you are in the position now where we can change the appearance on Washington Street within a year or two, and then the same decision is going to be made, it's going to have to be made on U.S. 1. So we're bringing it to you early, which is what you asked, to have both boards think about it. But we'll have CRA dollars coming in, the County's dollars can only be used for CIP and we could literally up front those costs, not the U.C., you know, City CRA. And if you want to start looking at undergrounding on U.S. 1 and if you need an example, South Daytona did it. They got 50% FDOT grants and 50% CRA and they did it and it looks amazing on Ridgewood, the length of South Daytona on U.S. 1.

City Commissioner McGuirk stated well it looks good and I agree that's a great example. I also want to point out, though a concern of mine is when the, when U.S. 1 was expanded and then you took the, added the additional right-of-way to what we have now. The ills of U.S. 1 were primarily, or are primarily created because the property that was taken left the remaining property essentially unusable. A lot of it is too small to develop properly so I'm a big advocate for putting them underground, the CRA excites me, but I want to stress that one of the things to have in consideration is making sure that we don't do anything to lessen the buildability, the development ability of a piece of property, and if it is, we identify those properties that are not then buildable and have a plan for those. Because that's, that's right where U.S. 1 has had this problem and it has been deteriorating ever since they expanded U.S. 1.

Mrs. Brangaccio stated yes, and, and this will not help U.S. 1 redevelop, and that's, it's a policy decision that it's going to be an expensive one. You guys asked us to give you, you adopted a CRA in September 2015 that you actually set CIP monies aside for undergrounding utilities on U.S. 1. It's not nearly enough, we know that. The good news is there's a, the County did let us keep the North Causeway in the CRA. The new, adult living facility, well I think it's ran..., the one on U.S. 1. Obviously there's tax monies coming into the CRA where I think we're going to see it build a lot quicker than I thought it was going to build. We're just bringing it early and basically I guess asking for permission from the collective body, I'm not looking for a motion. I don't think Mr. Mitchum would be looking for one. Just to talk to staff in the sense of what are the options for U.S. 1.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Commissioner Holcomb stated would you be able to, again from the City and the CRA, make one of your grants available. I know you guys are looking at what would be available to the, so if a business owner or somebody wanted to be proactive to start to move that down now, that they would have the ability. Maybe that's some grant or something that falls under the beautification, yes, usually the people want you to do something to your building or do something like that, that you could actually take it down and it would be a grant.

Mrs. Brangaccio stated actually that's a super cool idea, that's, I knew... The difference between, you can imagine. You haven't really noticed it yet at City Hall because the pole that was removed was kind of in the parking lot on the north side, but the three poles that are the eyesore that remain where the church was that we demoed, those will be down within this next six to twelve months. And I think just seeing that is going to get people even more excited on Washington Street.

Vice Mayor Sachs stated when you say take it down you're putting it underground...

Commissioner Holcomb interjected like, like so everything I build on 44, the last thing I want is what I've got on U.S. 1 on 44, I want it all underground. And if I, if you had the ability to go back, if I would have stayed, if I'd stayed on U.S. 1, believe it or not the poles and the wires and the chaos that I've got around the buildings I would... You know, again I know my business is different than most small businesses that are down that road but if there's a grant available to somebody to do that, it's something at least you consider. Because it's, I mean the poles are all over the place, it's just the way it is.

City Commissioner Hartman stated it's a good time to ask for an easement, when you're fixing up the building.

Commissioner Holcomb stated yes.

City Commissioner Hartman stated having a chance to get a grant it could help.

Mr. Mitchum confirmed with Mrs. Brangaccio about 50% of the grant for underground.

Chairman Biedenbach stated to Mrs. Brangaccio how much of U.S. 1, then stated I'm sorry.

Mrs. Brangaccio stated no, we were just talking about grant monies, anywhere we can...

Chairman Biedenbach stated how much of U.S. 1 belongs to the City, did you tell, did you say?

Mayor Hathaway stated none of it, none of U.S. 1.

Mrs. Brangaccio stated no, no, no, U.S. 1 is FDOT.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Chairman Biedenbach stated okay.

Mrs. Brangaccio stated Washington Street from U.S. 1 to Riverside is the City, so at least...

Mayor Hathaway stated it was supposed to be DOT.

Mrs. Brangaccio stated I know, that's what you've said, I thought, Mr. Gummey's going to get, I think Mr. Gummey was here when that agreement was approved.

Mayor Hathaway stated no, Mr. Gummey was not here, he was not here, that was a swap between Canal Street and, and Washington.

Mr. Bledsoe stated for the Canal Street project.

Mayor Hathaway stated that's correct, that's correct, and that happened quite a while back.

Mrs. Brangaccio stated I think what the progression will be, we'll ask for, and Mr. Mitchum's staff, basically they go back, they crunch the numbers, they give us a proposal and then that will come forward to the Commission. It will be expensive and what we're talking about doing, even on Washington Street, is we're going to submit for TPO, which is beautification and landscaping, we can get part of the project maybe there. And also we're, the counties and cities are talking about half cent transportation sales tax and Washington Street may well be one of the projects that we might, you might see us move forward there too. So I'm like Mr. Mitchum, we're always looking for grant dollars or, or funding for these types of projects.

Mayor Hathaway stated I think Mrs. Brangaccio's dream was she's talking about using that one, half cent sales tax, we have, we have the extension of the Williamson Boulevard is a key and looking at Paige Avenue as a key, so I'm not so sure that you got any money left over for that.

City Commissioner McGuirk stated well, and I'm going to throw out 10<sup>th</sup> Street, I want a Paige Avenue, but I tell you what a better road is, 10<sup>th</sup> Avenue to Glencoe or 10<sup>th</sup> Avenue hook it into 44 up where 95 is.

Mayor Hathaway commented good luck with that, but I agree, agree you can't, Paige Avenue is going to funnel into Vic's Way and Vic's Way doesn't go anywhere, we have to...

City Commissioner McGuirk stated right, and it's going to...

Mayor Hathaway then stated we're getting off subject.

Vice Mayor Sachs stated do we have money for that CRA, what's on the agenda and things like really necessary projects like getting off septic tanks. Commissioner Britz-Parker just, I

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

really perked up when you said that. Can we,...

City Commissioner McGuirk stated well the CRA, I don't think can address septic.

Vice Mayor Sachs stated it's totally separate but are these things that we can do at the same time. Because as Chairman Biedenbach would know, with a Reasonable Assurance Plan looming, the City's going to have to step up and do something and who's going to pay for it. So I, just to keep that thought there for all of us.

Chairman Biedenbach stated I talked to our representative, Deb Denys, a week ago. And there is money, there is a bill at Tallahassee for \$40 million bucks to take septic tanks out. Deb said that she feels that she can get some of that money but, Oak Hill is going to be first. New Smyrna doesn't even get to be on the list as far as she is concerned for this year until they get Oak Hill straightened out. She said Oak Hill is a disaster. I'm not even gonna talk to you about New Smyrna, her statement to me. Now I don't know whether she wanted that said or not but that's, that's where we are on getting our hands on some of that \$40 million bucks.

Mrs. Brangaccio stated well, the \$40 million is controlled by the state and New Smyrna already has an application in for Islesboro quite frankly, so I can repay my loan to the U.C.

Chairman Biedenbach stated well I hope you get that Mrs. Brangaccio because I'm waiting for that check to come across.

Mrs. Brangaccio continued, so in fact our Mayor and Assistant City Manager will be meeting with our state representatives and we have Senator Hukill and Representative Lee as our sponsors on our request.

City Commissioner Reiker stated well back to this, I really would like to work with the Utilities Commission and start the undergrounding. First of all we're a beach town and the more that we can underground, the better, for everyone, because of hurricanes and what not. So if we can get started on this and some of the CRA money can be spent here, this is a tremendous project and I think, City Commissioner McGuirk you've got that U.S. 1 territory, this is going to kill your zone if this happens. We're trying to make it, as you say, look like South Daytona.

City Commissioner McGuirk stated well it's tearing..., it's killed already. The question is, how do we, what can we, to encourage...

City Commissioner Reiker stated it's not going to bring it back, like we're trying to bring it back, the goal is to (inaudible).

City Commissioner McGuirk stated oh, absolutely, how do we, how do we encourage reinvestment.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

City Commissioner Reiker stated since people leave here, you know.

Commissioner Holcomb stated yes, right, for no reason. I'm leaving with less than I came with, just so we know. If ya'll want to take credit, we didn't get here by accident, okay, we could have done this 16 years ago. So, don't worry about it, it doesn't bother me.

Mayor Hathaway stated you couldn't have done it 16 years ago, we weren't going to allow you to move out there 16 years ago.

Commissioner Holcomb stated the, and all I'm saying, and Mr. Mitchum we talked about this the other night, I know there's a lot of expenses, significant expense but that's, for us to undertake that, but if the money's available that's a different story. And I, I agree with you, I think, in a commercial section I think it makes all the sense in the world, but, but it's not going to be cheap and that money doesn't just come out of the sky. So, and like I said, the maintenance side right, I think as far as going back and maintaining it, it's a higher level of expense.

Mr. Mitchum stated there is, obviously with underground you can't see a problem when you have it. The main reason it's built, when it's done, it's done in a loop system, that can, you can reroute when something goes bad and then get it back on, get power back on quicker. But you have to, you know, be able to find the hidden issue first. Obviously, overhead you can drive down the road and it's easy to see most of the time.

Commissioner Holcomb stated right.

Mr. Mitchum stated so underground as far as that, but there are newer developments that you know would have to be incorporated in that as far as fusing and that kind of thing.

Commissioner Holcomb stated right.

Mr. Mitchum stated just to let you know it will be much more expensive going underground, I think I tried to explain to you a while back, where on a pole where I've got three switches to handle the main line, it would cost me about \$300 for those switches.

Commissioner Holcomb stated right.

Mr. Mitchum stated a padmount switch that goes underground runs in the neighborhood of \$25,000. So you're talking a very large difference.

Commissioner Holcomb stated that's why I wanted you to hear that because I asked that question a couple of months ago, and I was cool with the \$300 thing, we were going to say a \$1,000, and I was..., when we went from \$300 to \$25,000 it kind of set me back in my seat a little bit.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

City Commissioner Reiker stated geeze, Mr. Mitchum.

Commissioner Holcomb stated so, but, but acknowledging that cost difference and that's where the ability to create some grants or, you know, because there might be people that are just commercially, just want those poles that drive them nuts, and if grants are available, that's no different than just putting a different façade on your building, is clearing the poles out. Just something to think about.

City Commissioner Britz-Parker stated well, and if I could add, I agree on the underground utilities, but I think that all of this stuff, whether it's getting rid of the septic systems, every time that we're digging in the ground if we have an opportunity to do something else that's on the agenda you know it would be great to only have to do it one time. And underground utilities I understand is extremely expensive, I understand, but Rome wasn't built in a day and if we don't start planning some day. It's like us telling our kids, you know, no, you really, we know you're only 21 but if your company has a 401K and they're going to have a match, you need to do it. It's kind of the same concept, is that I feel like you know we have to start somewhere and the way we start is coming up with a plan and we figure out a way together, that we figure it out and figure out how to fund it and how to do it. I, I don't know how to do the numbers, and I know that underground, putting it in is a whole lot more expensive, but I would think there's other cost saving measures in some, in some ways too. It's not 100% more expensive in every way. Obviously if we have a hurricane hopefully it would mean it wouldn't be as bad, if we had a really, really bad storm; I don't know. But it certainly is much more visually appealing and these pictures are horrible, I mean that is just, they did that in the west side of the County too, like they did it in Deltona, with these absolutely enormous, you know those ugly, ugly, ugly...

Commissioner Holcomb stated just so you know, right now that right there is a step up from what we currently have.

City Commissioner McGuirk stated and we can ask Mr. Mitchum and he's like well, you know, they're kind of not that ugly, come on.

Commissioner Britz-Parker stated well, but I mean I would hate to see us spend all the money to do that is, is my point.

Mayor Hathaway stated of course the other negative thing is that when you put up these poles, we have a tendency to leave the existing pole there too unless it's one of those that have been fractured, and even, even in that case, some of those that have been fractured by a, an accident, you still see some of those poles are sawed off and still holds some..., switches or whatever they hold up there, they're still hanging. So you gotta look at that, and you think about, come on guys, gals, this is not very attractive. I mean this does look like a third world country when you start looking at stuff that's not...

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Mr. Mitchum stated if I could address that.

Mayor Hathaway yes sir.

Mr. Mitchum stated we have numerous attachers to those poles.

Mayor Hathaway stated I know.

Mr. Mitchum stated as you know, if you've been out there, you know we're on it real quick, our part's done. We notify each other attacher that you have a pole that you need to get off of there. It's very frustrating sometimes to try to keep getting them back out there. And you're right the poles sit there until, we're not allowed to do theirs. We try to sometimes edge them a little bit by if you don't come get it we'll lay it on the ground for you. Obviously we can't do that in the middle of the street, but it doesn't seem to scare them much.

Chairman Biedenbach stated Mr. Mitchum, do they, do they compensate us for hanging on our pole.

Mr. Mitchum stated yes sir.

Chairman Biedenbach stated do they continue to compensate use even after we've tried to abandon that pole.

Mr. Mitchum stated oh, that, each attachment that they have they pay for.

Chairman Biedenbach stated okay, on a one time basis up front or...

Mr. Mitchum stated it's a yearly cost.

Chairman Biedenbach stated can we not cash the check and say send the check back to them and say, tomorrow you're unattached.

Mr. Mitchum stated well, we are still in negotiations, have been for quite some time with AT&T, who thinks they should be treated better than everybody else. We're still trying to get that worked, but they are paying their fees yearly, not the fees that we're trying to get out of them but that's being worked on back and forth. But they've been paying the same fees in our last agreement yearly, I believe, continuously. And if they add to new poles, that's another attachment, so it's added and they have to pay that also. Occasionally, about every few years we'll do a pole count, because they sometimes change poles themselves. Normally not if it has our facility on it, but a lot of times we have one, if it's just them we get a call out in the middle of the night, we might get a pole back up much quicker than they would so we have to inform them you no longer have a pole there, it got wiped out, it's now ours, you have to pay to attach to it. So those things can get a little funny sometimes, but you, for the most part.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Mayor Hathaway stated you all, you did a great job on that Saxon Drive deal right by Publix, where that crash, where that guy burned up everything and just, to get the store back up and running. They needed water, they needed power, I mean they had their generator but they needed water and ya'll did a pretty daggum good job of getting that thing taken care of. It was a mess, I was there in the morning, it was a mess.

Mr. Mitchum stated very big.

Mayor Hathaway stated so congratulations, or kudos to your crew for getting out there and really doing an outstanding job.

Mr. Mitchum stated thank you sir.

Mayor Hathaway stated all right, I think we've understood where we want to go on U.S. 1, if we ever get enough money to do so, we're going to try to do so, but all right, we'll see where the money falls at that point in time.

(4) Discussion RE: City's Vision / Long Range Plans in Historic Westside CRA Area:

Mayor Hathaway stated item 4, discussion regarding the City's vision/long range plans in historic west side CRA area. Okay, who wants to tackle this one?

Mrs. Brangaccio stated just very briefly, we had this on the agenda in September and we are getting folks annexing in now who are on septic and the first question they ask is when is the project going to happen. And I think what I heard earlier from all of you is that what we need to do is sit down with the CEO and come up with a plan to address the area within the CRA. Because as Vice Mayor Sachs said we do have CRA money set aside as well to assist homeowners in terms of replacement of septic in there. So what we'll do is bring over basically the CRA boundaries. Our, the confusion there, obviously the properties that are coming into the City are in the City but we also have a number of County properties that are U.C. customers but that are on septic. So we'll also have a third party at the table as well in terms of Volusia County. So maybe we can get some of that \$50 million Chairman Biedenbach, for historical westside.

Mayor Hathaway stated we also may want to look at, and I'm not trying, again not trying to muddy the waters but I got an email yesterday from a gentleman that lives on Fairway Drive who's on sewer, has had sewer problems but the drainage just, it's just, you get on the canal area side of it. And it's hopeful that the City will once again go out on a survey to determine if these individuals want to go on sewer, and if they do... We went through this process years ago in Aqua Court and we got voted down. But we would certainly, I think be, obviously go through that process again, see if these individuals want to go. It makes no sense to me to have a sewer line out in that area and not being able to utilize it. I know it costs more, believe me, it, I think those individuals are able to pay the costs, whereas when we get into some of

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

the historic westside community we realize costs is exorbitant and then when you start adding the fees for actually sewer itself, which is double what your water bill is roughly, and so, yes, I get it. And I don't know, there's no easy solution to how to fix that problem, and hopefully the State has some, some help that's going to come down the pass somewhere to help these individuals with some type of subsidy that will allow them to... You know one, clean up our waterways which is what we're, the key ideas here, as well as keep them in a system that where it's dependable when they flush their toilets. They don't have a backup in their home.

Commissioner Holcomb stated sounds like you're kind of prioritizing your CRA grants to where, where you're headed with your grant money because that's as simple as creating a grant for that. Identifying that, here's the problem, create the grant.

Mayor Hathaway stated yes.

Commissioner Holcomb stated solve it...

Mayor Hathaway stated but the problem is to keep, the CRA goes away in 20 years. The bill's going to go on forever, I mean that's, that's a reality factor, I mean it's...

Commissioner Holcomb stated right, but at least it's a start somewhere...

Mayor Hathaway stated no, I agree, I agree.

Commissioner Davenport stated so when they started this CRA westside project, I spoke to them about the area between my office and only about, I don't know, three blocks. But it's blighted, really, I mean you're going to have all this beautification around the City and when it's said and done you're going to have about three blocks that, that's not included in the CRA. East of my office, on both sides of the street, if you look at how bad it looks, just look at the corners, and so I hope that's happening. I came into the City, annexed two properties and commercial, and I'm on septic and I'm having problems all the time out there. And I was curious, I don't know, is, is Station 50 on water there because...?

Mrs. Brangaccio stated we're on sewer, yes, there's no septic.

Commissioner Davenport stated sewer, so I mean you know this, this is a big issue. Here we go back to Commissioner Britz-Parker what you said, you know with the septic system. So if we can consider that, I mean how do we do, how do we work together? I'm a business man, the City wants to do things like this, the Utilities Commission's foresight, so how do we all come together and fix that over there. Is that part in the CRA Mr. Otte?

Mr. Otte stated not in the 10 years I think, I've got a map here...

Commissioner Davenport stated I think it was left out.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Mr. Otte continued, the map's pretty small but, but it's, the first 10 years is the historic westside and the U.S. 1 corridor.

Mayor Hathaway stated well, how was he left out because WaWa's included in the new CRA district, that new ALF is included in the CRA, so how was he left out?

Mr. Otte stated no, I'm not saying he's out, he not in the 10 years.

Mayor Hathaway stated but he's in, the City, he's in the actual district.

Mr. Otte stated he probably is.

Commissioner Davenport stated I'd have to work another, you know, 20 years.

After simultaneous comments, Chairman Biedenbach commented I don't think it's very nice you're making fun of one of my Commissioners. He then stated Mayor, you're making fun of one of my Commissioners, I'm going to have to step in here.

Mayor Hathaway stated no, no, no, I'm not laughing at him, I'm laughing with him.

Commissioner Davenport stated well it is, it is something that I'm glad to be involved to the tables, because there are people that talk about it. There are people that say you're already annexed into the City. I do get phone calls and they ask me why do you do it, why did you do that. And I said well...

Mayor Hathaway stated to save yourself a boat load of money, your tax bill versus your county tax bill.

Mr. Otte then stated your (inaudible) is not in the CRA, so I don't know when, where, I know (inaudible)...

Vice Mayor Sachs stated Mr. Mayor I have a question since we're talking about the City's Vision, long range, and this would probably be a question for U.C. and anybody else who would like to weigh in. I have approximately 10 constituents on the south end of the barrier island who would like to hook up and they believe they can get 51% of the population on that street. Would it be something that the U.C. would consider?

Commissioner Davenport stated I can't believe that (inaudible), speaking with Mr. Otte.

Vice Mayor Sachs continued, if they came before you and said hey, we want to get off septic tanks and we're close to a main trunk line. Could we discuss that or could they come before us and we would say yes or no.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Mr. Mitchum stated anyone can come in that's you know looking to get that and we can show where we have available, or where you know it's anywhere near that would work.

Vice Mayor Sachs stated okay.

Mr. Mitchum continued, whether it could be done with simple gravity sewer or whether it would require a lift station, something like that. They may have already come, I heard something recently about 10 properties on the south beach looking for something. So they may have already contacted engineering, I'm not sure.

Vice Mayor Sachs stated okay, I'll find out if it's the same lady.

Mr. Mitchum stated yes, they can easily come in and we can show them if, what's available, if it can be done or not.

Mayor Hathaway stated are they actually in the City limits or are they outside the City limits.

Vice Mayor Sachs stated no, they're inside.

Chairman Biedenbach stated no, they're in the City limits.

Commissioner Davenport stated you know, just looking at this map, and all I've given back to this community and this City over 43 years, and the people I've talked to, I'm glad I'm getting to share this. The people I talk to about the importance of me being in the CRA, and this person across the street, and this one here, and the only thing they left out of the CRA was my office. I mean it's, it's targeted, if you look at that triangle right there, that's very disturbing. I mean, to sit here, and I spoke to several different people about this and, but you get in and see WaWa and Kmart, I'm just like... I'm just glad, I just want everybody to know that I'm disappointed.

Mr. Otte stated Kmart was put in specifically because, just look at it, it's still there, it's blighted. There's other areas on that map where the result has been where staff said shouldn't this be in, not yours specifically but other areas, and they've said no, we can't, the property's not blighted. You know you can find a lot of other places in that map where it jig jags around different places.

Commissioner Davenport stated if you look at that house behind me, damn thing's about to fall down, they're selling crack out of it, and then you've got the other one...

Commissioner Holcomb stated to Commissioner Davenport, but I'd be careful what you wish for because I promise you I wish not to be in a CRA district because I walked into town in 2000, paid for \$1.5 million for my property, and I'll be lucky to get \$3.5 million. So, I understand what you're saying...

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Commissioner Davenport stated I have 10 years to think about it though.

Commissioner Holcomb stated so I get what you're saying but, but I think it was done, they looked at where's the blight, where's the heartache, where's the..., what needs to be fixed. I was, I listened to that, I participated in that, I would defend it that it wasn't...

Commissioner Davenport (inaudible) this was, I mean three quarters of a million dollars.

Commissioner Holcomb stated I don't think that, I promise you I don't that think they sat around and excluded you.

Commissioner Davenport stated well, it's just frustrating (inaudible)...

Mrs. Brangaccio stated the other point I would make, and a lot of folks don't realize this either, and you do because you annexed in. But properties, the homes immediately to the east of Fire Station 50, are in the County. So there's so many County pockets in the area that you're talking about, literally they're U.C. customers but they're not City residents, so they're not in the new CRA either.

After simultaneous comments, Commissioner Davenport stated I am the reason, I am the reason that we annexed all the way to Samsula because of Buddy World and everything I did out there with the Mayor, the previous Mayor, over 25 years ago. Glenn Storch says if it wasn't for you, Venetian Bay wouldn't be in this deal, so I've put... And all I'm making is an observation, those enclaves, that's me that they didn't want to do on 44 to Glencoe and then they jumped, went all the way out.

Mr. Gummey stated we, we approached the County to include unincorporated areas in the CRA which has happened in Deland.

Mrs. Brangaccio stated exactly.

Mr. Gummey continued, and they declined to consider it.

Commissioner Holcomb stated but I was at that CRA meeting when that deal went down and they gave us the money. It was not as..., that deal, I, there was a time in the meeting when I thought we had the money, there was a time in the meeting I thought we didn't have the money, then we went back and had the money, and then they took it away from us again. So, it's, it's, it was, that was a very, that wasn't as, I promise you, there wasn't as much thought to that as you...

Mayor Hathaway stated it was a very tenuous meeting to say the least at the County level and we were holding our breath the whole time up for one vote, and it was one vote. And, and in fact I think had we delayed it we would have been..., not received the CRA.

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(3) Discussion RE: U.C. Easement Requirements for U.S. 1 Improvements (cont.):

Commissioner Holcomb stated right, I was there, there was a lot of hard work on that one, so.

Other Business:

Mayor Hathaway then stated well, anything else we needed to bring to the table tonight. I think that we've had a pretty good discussion, a lively discussion. I think we've, I've been able to open up to one another. I think we're in, got a good rapport going on here. Anybody else have a comment for the good of the community? Yes sir, Commissioner Griffith.

Commissioner Griffith stated Mr. Mayor, great, great meeting, it's nice to see the opportunity to come together, learn a lot from each other, put some good priorities in place. It's a lot of excitement, a lot of growth, a lot of positive energy I would call it, and I would just suggest too, it's time to..., it's not too early to look for additional financial opportunities with respect to growth and development. What's our bond rating, the City bond rating?

Mrs. Brangaccio responded oh, we're at least double A or three.

Commissioner Griffith stated double A can get into the tax exempt market, the industrial revenue bond market, and it's not too early to start both of our respective staff's looking at it, since we've got so much on our plates.

Mayor Hathaway stated absolutely, we ought, opportunities don't come around all the time, you need to take advantage of when they do come around; you're right.

Vice Mayor Sachs stated just a quick request while we're together, I don't know when I'll get a chance to ask it. The U.C.'s been very responsive in fixing the right of ways streetlights that were damaged in Matthew and fixed quite a bit around the Third Avenue bend and some when people call you guys come out and fix. But I was wondering if you could possibly take an inventory of lights that are out. I know there are plenty on beachside that are still out, so, and I know it's a long process, you're kind of limited with your crews, but I believe there are still some right of ways that out and in the interest of public safety could you guys find the time and the money to do that.

Mayor Hathaway stated and to piggyback on what the Vice Mayor just said Mr. Mitchum, the lady that spoke to us last night, Mrs. Bowen, that's in that, she said there's been a light out in the neighborhood...

Vice Mayor Sachs interjected in the alley.

Mayor Hathaway continued, since the hurricane, I don't know what the address is, Mr. Resheidat do you have the address.

Mr. Resheidat stated I have, I have it but I'll email it to you tomorrow.

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Other Business (cont.):

Mr. Mitchum stated please, thank you.

City Manager Brangaccio stated she gave us the pole number on it.

Mr. Mitchum stated yes, if they would call, and we have a thing on our website also that they can report them, or to call our customer phone numbers.

Mr. Resheidat stated they said that they reported it, I guess they reported it almost a couple of months ago.

Mr. Mitchum reiterated they said they did report it?

Mr. Resheidat stated that's what she said, she said she reported it but nothing has happened.

Mayor Hathaway stated well if you'll give Mr. Mitchum that, and we have that pole number. We appreciate it, thank you very much for looking into that.

Commissioner Holcomb stated one thing, and this relationships not easy, I get it, but we've all gotta help ourselves in, with each one of us making sure we're not making it tougher than it needs to be. So, you know, we all have a lot of people that come to us and ask us questions and have issues with the City or the U.C. or what not. I don't think we help ourselves kicking the other team. And I just, the reason we're here is just, and believe me I'm new to this, and I've come in, and it's just my opinion, it's what I'm exposed to, and it's the truth whether we want to believe it or not. We have to stop, we gotta listen to what the argument is, we gotta bring the information back to our, our two people here and let them do their jobs. Because I, we, throwing the gas on the fire so to say, is just making it worse, it's making their jobs harder. We gotta kind of tamp that down, I'd appreciate it if we could all kind of adhere to that, so, and I'm starting with me because I get a little hot once in a while myself.

City Commissioner Reiker stated no, really.

Mayor Hathaway stated anybody else?

City Commissioner Reiker stated well, I think this was a great first, first meeting, and I think that we do have that now Commissioner Holcomb. I think we've got people on these boards that we can all work with, I mean you all are friends of mine for crying out loud, and we've done business together, and we do business in the City together. And we've got two wonderful managers of each organization, you couldn't get them any better than Mrs. Brangaccio and Mr. Mitchum here. So I think we've got a great, we've got a great nucleus and I, I'm really pleased.

Commissioner Davenport stated I'd like to make an observation, I heard our Chairman say, I'm new, the new kid on the block, I'm new even more than more ways than one. But with,

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Other Business (cont.):

I'd like to see the continuity of this board with what all's going on, if we can reform, maybe keep the people on the team, he's, everybody's doing a great job. Appointments are coming up, think of that, you know, as Commissioners down the road. It's really important right now where we are over the next few years, so...

Mayor Hathaway stated very good. Mr. Chairman?

Chairman Biedenbach stated I, I've said enough tonight, you're, you're in charge Mayor.

Mayor Hathaway stated Commissioner, City Commissioner Hartman?

City Commissioner Hartman stated I'm good.

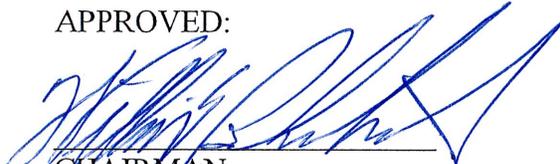
Mayor Hathaway stated all right everybody, thanks for coming out.

Chairman Biedenbach stated thank you all.

Mayor Hathaway stated we're adjourned.

There being no further business to come before the Commissions, the Joint Workshop with the City Commission closed at 6:45 p.m.

APPROVED:

  
CHAIRMAN

ATTEST:

  
SECRETARY-TREASURER

These minutes were formally approved by the Utilities Commission at their May 15,  
2017 meeting.