

**Indian River County, Florida  
Department of Utility Services  
Board Memorandum**

**Date:** February 18, 2021

**To:** Jason E. Brown, County Administrator

**From:** Vincent Burke, PE, Director of Utility Services

**Subject:** FPL Heritage-West 138kV Transmission Project

**Background:**

In August 2020, Indian River County (IRC) staff met with members of the Florida Power and Light (FPL) team to discuss a proposed 138kV transmission line to be installed from the electrical substation at the intersection of College Lane and 58<sup>th</sup> Avenue, down the main relief canal, along 74<sup>th</sup> Avenue, then west along 4<sup>th</sup> Street, past I-95 to another substation.

In January 2020, IRC purchased +/- 243 acres of citrus/pasture land from Premier Citrus to be used for wet weather effluent storage, a possible canal water treatment, and a park.

**Analysis:**

Unbeknownst to staff during its due diligence process in 2019 was FPL's intent to strengthen its electrical transmission and distribution system in the County. This transmission line is a crucial part of FPL's mission to provide reliable electrical service at an economical cost to its customers in IRC by having stronger systems in place for daily operations, load growth (demand), and to provide engineered systems to weather hurricanes and other emergency events. The 138kV transmission lines will provide redundant feeds to customers with this project.

Due to the space needs of FPL in siting the poles, it is important to understand where the poles may be installed now to account for future growth in the County. Fourth Street between 82<sup>nd</sup> Avenue and 90<sup>th</sup> Avenue is the only nearby street that connects county roads by passing under I-95. In the future development of this area, the Public Works Department has a long-range plan to widen 4<sup>th</sup> Street when demand necessitates this expansion. Currently, 4th Street is a dirt road that is maintained periodically by the County, but the future right-of-way (ROW) footprint anticipates a 90' wide ROW. The FPL transmission poles that will run along the north side of the County property would therefore need to be placed outside (or to the south) of the future road ROW. This encroachment slightly decreases the available space IRC can use for its future wet weather storage.

FPL is requesting to purchase an easement from the County. This 105' easement is made of three components. The northern sixty-five (65) feet of the 105 feet is proposed for an access easement. The next twenty-five (25) feet immediately south of the access easement is proposed as an aerial and access easement, and the southernmost fifteen (15) feet is proposed as a permanent utility easement. It is FPL's

and IRC's intent that both the access and aerial access easements will automatically terminate upon IRC dedicating the property encumbered by said easements as public road right-of-way. The total easement size equates to 10.312-acres as shown in Attachment 1.

FPL has submitted a valid offer to IRC (Attachment 2) that staff is supporting and presenting to the BCC for review and approval. The FPL offer is summarized below:

1. FPL will relocate, at its cost, transmission structure 18E6 thirty (30) feet north and in-line of its existing location.
2. FPL will remove, at its cost, the transmission facilities from structure 18E5. The distribution facilities will remain on the structure in its existing location.
3. FPL will demolish, at its cost, the five structures on the property.
4. FPL will compensate IRC \$350,000 for the 10.312-acre easement. See Attachments 3 and 4.
5. FPL will compensate IRC \$122,000 for the 3.5-acre temporary easement. See Attachments 5 and 6.

Included in the work FPL will perform, at its cost, is work done on the two FPL transmission power poles (Structures 18E5 and 18E6) located on the west side of 58<sup>th</sup> Avenue, north and south of College Lane. These transmission poles have been an obstacle over the years with respect to intersection improvements at this location. The relocation of pole 18E6 (north of College Lane) will allow for the expansion of the intersection in the future. The transmission lines on Structure 18E5 will be removed, the top of the pole reduced to a specified height, and the pole turned over to the County due to the traffic signal span wire system being attached to Structure 18E5.

**Funding:**

There is no funding required from IRC regarding this project except staff time to review and process the easements.

Any funding received from FPL will be allocated to the site and any related expenses needed to design, engineer, or construct the wet weather storage system. Proceeds will be divided among the three funds used to purchase the parcel.

<b>Description</b>	<b>Account Number</b>	<b>Allocation</b>	<b>Amount</b>
Impact Fees/Misc. Rev./TMDL Effluent Storage	103038-369900-19009	10%	\$ 47,200
Optional Sales Tax/Misc. Rev./TMDL Effluent Storage	315038-369900-19009	30%	\$141,600
Utilities Impact Fees/Misc. Rev./TMDL Effluent Storage	472038-369900-19009	60%	\$283,200
<b>Total</b>		<b>100%</b>	<b>\$472,000</b>

**Recommendation:**

Staff recommends the Board of County Commissioners approve the following:

1. Accept Florida Power and Light's Offer for easements on the Indian River County property located at 375 82<sup>nd</sup> Avenue
2. Approve and authorize the Chair to sign the Easement Agreement, after review and approval by the County attorney for form and legal sufficiency
3. Approve and authorize the Chair to sign the Laydown Lease Agreement: 3.5 acre after review and approval by the County attorney for form and legal sufficiency

**Attachments:**

1. Proposed Easement Exhibit
2. FPL Offer for Easement on Indian River County Property located at 375 82<sup>nd</sup> Avenue
3. Easement Agreement
4. Easement Sketch and Legal
5. 3.5 Acre Easement Agreement
6. 3.5 Acre Easement Sketch and Legal