



Office of  
**INDIAN RIVER COUNTY  
ATTORNEY**

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Dylan Reingold, County Attorney  
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**MEMORANDUM**

**TO:** Board of County Commissioners  
**FROM:** Dylan Reingold, County Attorney  
**DATE:** April 15, 2021  
**SUBJECT:** Street Lighting Agreement Terminations

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**BACKGROUND.**

Over twenty years ago, Indian River County (“County”) entered into Street Lighting Agreements (“Agreements”) with various neighborhood associations for the purpose of obtaining street lighting systems from the City of Vero Beach for lighting in their communities. The Agreements automatically renewed every five years since 1998.

In 2018, FPL purchased the City of Vero Beach electric utility. FPL and Indian River County wish to terminate the Agreements so that these neighborhoods directly contract with FPL for such service. On August 18, 2020, the Indian River County Board of County Commissioners (“Board”) authorized the chair to execute Terminations of the Street Lighting Agreements with Glendale Industrial Park, Inc., Shadow Brook Property Owners Association, Inc., and Sundowners Property Owners Association, Inc. There are still valid and existing Agreements with four more neighborhood associations, the Dunmore Homeowners Association, Little Harbour Club, Inc., Citrus Medical Plaza, and Tropic Villas North Homeowner Association. The current term of the Agreements ends on April 20, 2023. The Agreements automatically renew unless the County provides notice of its intent not to renew.

The County Attorney’s Office recommends that the Board authorize the County Attorney’s Office to send a notice of termination now to the remaining four neighborhood organizations. This would give the neighborhood organizations sufficient time to coordinate service with FPL before the April 20, 2023 expiration. Prior to termination, the County Attorney’s Office will work with any neighborhood organization who wishes to mutually terminate an Agreement early. As with the previously approved Terminations of the Street Lighting Agreements, the County Attorney’s Office will provide FPL with the following information, which will allow FPL to transfer the account.

- 1) IRCO street light account number;
- 2) The actual light information - location, lumens, wattage and component ID;
- 3) HOA street light account number if they have one, or Sunbiz name and Tax ID number, if they do not have an existing account with FPL; and
- 4) HOA point of contact information.

**FUNDING.**

The electric bills associated with these lights are funded from the Single Streetlight Fund, which is funded by assessment revenue received from each of the four agreements. Once the agreements are terminated, the Single Streetlight Fund will no longer be utilized.

**RECOMMENDATION.**

The County Attorney's Office recommends that the Indian River County Board of County Commissioners authorize the County Attorney's Office to send notice of terminations to the four neighborhood organizations.