



INDIAN RIVER COUNTY, FLORIDA
AGENDA ITEM
Assistant County Administrator /
Department of General Services
Parks and Conservation Resources Division

Date: July 7, 2020

To: The Honorable Board of County Commissioners

Through: Jason E. Brown, County Administrator
Michael C. Zito, Assistant County Administrator
Kevin Kirwin, Director, Parks and Conservation Resources

From: Beth Powell, Asst. Director, Parks and Conservation Resources

Subject: Jones' Pier Conservation Area Public Use Improvements – Easements

BACKGROUND:

On January 7, 2020, the Board approved a contract with XGD Systems, LLC to complete public use improvements at the Jones' Pier Conservation Area. These improvements include a public parking area and pavilion/restroom. Both historic buildings and the new pavilion/restroom will be connected to Florida Power and Light (FPL) electric and City of Vero Beach (COVB) utilities services. Additionally, AT&T services are expected to provide phone/internet at the main house/museum during future improvements.

During the construction of the public use improvements, staff and engineers discovered that the overhead power line including AT&T and Comcast services (located east of the two historic structures on the site), did not have a formal recorded easement. Because the current service configuration runs through the new parking area, Indian River County staff moved forward with engineering design to move the overhead lines for FPL and AT&T underground. The Comcast line does not connect to the neighborhood to the North and thus will be terminated at the southern property line. The conduit plan has been approved by FPL and AT&T. As part of the Change Order 1 & 2 with XGD Systems, LLC approved on May 19, 2020, the conduit will be installed underground for the service providers. In order for the service providers to move the lines, a formal easement needs to be approved and recorded. Because the easement is a non-exclusive easement, a separate AT&T easement is not necessary.

Two separate easements are required for the new STEP system (for long-term maintenance and service) and the force main line with the utility provider, City of Vero Beach. Engineered plans for the STEP system are included in the scope of work provided to XGD Systems and are part of the Agreement for construction. Purchase orders for the construction of the force main are included in existing purchase orders with the City of Vero Beach and Glisson & Co., Inc.

The Jones' Pier Conservation Area was funded in part with a grant from the Florida Communities Trust (FCT). Staff has been working with the FCT staff and attorneys for their approval of the easements, though they do not need to be included in the formal recorded easement. Once FCT has agreed in writing to the easements, staff will work with the County Surveyor and the County Attorney to finalize the easements and record those with the Clerk of the Court.

FUNDING:

No funding is necessary for this agenda item.

RECOMMENDATION:

Staff respectfully recommends that the Board of County Commissioners accept the easement as drafted with Florida Power and Light and authorize the Chairman to execute said easement after written approval has been received by Florida Communities Trust and after review and approval by the County Surveyor for accuracy of the legal description and by the County Attorney as to form and legal sufficiency so long as there are no substantive changes.

Staff further recommends that the Board of County Commissioners accept the STEP system and Forcemain easements as drafted with City of Vero Beach and authorize the Chairman to execute said easement after written approval has been received by Florida Communities Trust and after review and approval by the County Surveyor for accuracy of the legal description and by the County Attorney as to form and legal sufficiency so long as there are no substantive changes.

ATTACHMENT:

Draft Florida Power and Light Easement and Easement Attachments

Draft City of Vero Beach STEP System Easement and Easement Attachments

Draft City of Vero Beach Forcemain Sewer Easement and Easement Attachments

APPROVED AGENDA ITEM FOR JULY 14, 2020