

City of Coral Gables City Commission Meeting
Agenda Item D-1
June 10, 2014
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Pat Keon

Commissioner Vince Lago

Commissioner Frank Quesada

City Staff

Interim City Manager, Carmen Olazabal

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

Ramon Ferrer, FPL External Affairs Area Manager

Steve Scruggs, Senior Director of Development, FPL

Agenda Item D-1 [Start: 9:30:48 a.m.]

Presentation by Ramon Ferrer, FPL External Affairs Area Manager, regarding FPL matters.

Mayor Cason: So Ramon Ferrer, welcome.

Mr. Ferrer: Good morning Honorable Mayor and members of the Commission, it's a pleasure to be here, my name is Ramon Ferrer, External Affairs Manager, Florida Power and Light Company, 4200 West Flagler, we are very proud to serve this community for many, many years. I am here today with Steve Scruggs, who is our Senior Director of Development for Florida Power and Light Company, came here from Juno Beach, and he's been involved in this Turkey Point project from the very beginning and can answer all your questions, and I also have with me Victor Munez, who is the Account Manager in charge of the City, usually dealing with day-to-day operations for any questions you might have. So I really don't have a presentation, just want

to thank you for the opportunity to appear before you, want to thank the attorney for his hard work and dedication on obtaining a final mutually agreeable solution to resolve all the matters, and whatever questions you might have about our agreement or any issues outstanding.

Mayor Cason: Craig why don't you for the public let them know what the final agreements are and then we can start from that.

City Attorney Leen: Yes. Thank you Mr. Mayor. I asked on behalf of the Commission that FPL come today to be able to answer some questions relating to our agreements and going forward from here. I'm happy to say that we were able to reach an agreement with FPL that I think ultimately was the best deal that we could get for our residents and we appreciate FPL working with us to do that. Let me just briefly go over the parameters of the agreement again. I won't go in full detail like I did last time, but what happened was there was an administrative proceeding before the Governor and the Cabinet related to a transmission line, related to Turkey Point and the expansion of the plant that's there, but also transmission lines and the one that Coral Gables was focused on was the transmission line that was called the eastern preferred corridor, but it was a corridor going along U.S.-1 and Ponce de Leon Boulevard. Now I'd like to say so that the public understands there presently is a transmission corridor in Coral Gables running along Ponce de Leon Boulevard. The poles are between 47 and 72 feet, and that's there today, and this settlement was dealing with pole placements that are in the exact same location. So there has been some, maybe some misunderstanding or confusion, but there is not going to be a whole new transmission line anywhere. We are talking about a transmission line where it is today with the poles being higher. Now the issue for Coral Gables was of course aesthetics and also making sure that there would not be disruption to our community with the transmission lines. So as part of the administrative proceeding before the Governor and the Cabinet, we were able to reach a settlement with FPL where the power poles would be 77, 82, and 85, no pardon me, 77, 81, and 85 feet, and there would be no poles higher than 85 feet and certain conditions were met. So that was actually part of the order issued by the Governor and was very important for the City to be able to have the lower pole heights. It takes FPL quite a bit of engineering to bring the pole heights lower and so we appreciate them working with us. Otherwise we were looking at pole heights initially of 105 feet, and then we had reached an earlier agreement that there would be no more than 98 feet. So this was a significant concession by FPL and a benefit to the City of Coral Gables. Now one part of that settlement agreement which the Commission had requested was that there are also lighting franchise agreements, lighting maintenance franchise agreements for the many power poles and lights that exist in Coral Gables and the Commission asked that FPL release us from those. If the Commission decides to go that way, and FPL agreed in principle to do so as long as they recovered all their costs related to work they had done as part of the franchise agreement, and if there were no costs then they would just release us and there are many, many of these poles and so this was another concession by FPL that was useful to the City

and that's one of the things that I know the Commission wanted to ask you about today. After all this was done FPL did, as part of the agreement, FPL held open for ten days a potential settlement related to the entire proceeding, not just the administrative proceeding before the Governor, but also a proceeding in court that the City of Coral Gables had filed related to our franchise agreement. We were able to settle that agreement within the next ten days. Actually, we agreed in principle within the next ten days and then shortly thereafter we finalized the agreement, and basically what that agreement does is it, and I mentioned this at the last meeting, but it talks about what will happen when the poles go in, because remember there is a – aside from the FPL transmission line corridor, this whole discussion and debate that's been occurring with all the cities, FPL has an application for a permit from the City of Coral Gables that because they already have an existing transmission line they have a right at some point to harden those poles, and to make them more hurricane proof, to bring them up to current standards, they have a right to do this at some point under our agreement. So we had to resolve that issue with FPL, which we did through this settlement agreement and the franchise agreement, and ultimately Coral Gables received a lot of consideration related to that resolution. One, the City of Coral Gables received an agreement to do a transaction related to a building. It's the old driver's license bureau, there is a building that if it continues to exist where it is the power poles would have to go up to something like 98 feet to go over it, and the power poles that would go over it are quite, with all due respect, are not, what's a nice word, they are not good looking, because they have, they are uglier because, and I say that with due respect, but it's because they have, you know normally the poles have three or so arms and there are lines on each side, because the lines could not go over the building, I believe, and I'm not an engineer, but we've seen pictures, there would be six lines on one side, so that was an important issue for us to make sure that we didn't have poles like that, so we were able to work out – and also the poles would go up to 98 feet. So we were able to resolve that with FPL by agreeing to do a transaction related to that building so that the poles would be lower so that it wouldn't have to be a pole that has six lines on one side and we appreciated that. However, it's possible Coral Gables may want to keep that building. So what we ultimately received was the ability to have a lot of options over the next year. The City of Coral Gables can look at having FPL remove the building and building a parking lot there for us with nice landscaping and Coral Gables can continue to use that area as a parking lot, have lower poles. Alternatively, we could have the poles go around the building and keep the building; and alternatively, we could underground, and that's another issue why we have Ramon here today. FPL has agreed to give the City of Coral Gables \$1.3 million in consideration for that agreement. Initially that money was going to be used to pay in part for the building and then for the parking lot, the removal of the building, the purchase of the building and removal of the building and the parking lot. However, FPL agreed that if the City decides not to remove the building it will be able to receive the \$1.3 million consideration as well. Actually the removal of the building itself is separate from the \$1.3 million; I want to make that clear. So, again we thought that the City of Coral Gables received good consideration for

reaching a settlement. We thought it was the best deal that we could get under the circumstances and we thought that it protected the public interest of Coral Gables. It was mentioned to the Commission at the last meeting, the Commission has been very involved through Executive Sessions, but ultimately my charge was to go and try to negotiate the best possible deal we could under the circumstances and I thought that we did so in the public interest. So, one issue of course, another thing that FPL agreed to was to do an undergrounding study for the City so we could consider our options relating to undergrounding; and I know, I want to say this on behalf of the Commission and myself as the City Attorney, I need to be clear to the public, it is very expensive to underground. It is very expensive to underground. So just because we are talking about it doesn't mean it will happen. However, it's an option that the Commission wants to be able to consider, and so we did a settlement agreement that allows the Commission to consider every possible option and gives us until June of next year to make that election and to work with FPL and the Governor in fact in his order asked FPL to work with the cities and they are working with us to see if we can have an option to underground. This issue may ultimately have to go to the public for a vote, and if it goes to the public for a vote in November, I've learned from the Department of Elections for the County that we are going to have to put together ballot language by our July meeting. Essentially or a little bit after our July meeting, so I've already begun to work on that and I'll be talking to each individually Commissioner about that so that the public can have an informed choice as to what they want to do. Hopefully, we are hopeful that this study will show that the cost of undergrounding is not as high as we anticipated, but we are waiting to see what the study shows. One other reason we have you hear today though is since we have to put this on the ballot by the end of July, we need the results of the study as soon as possible and I know the Commission wants to raise that today. So, I believe that's a fair assessment of the agreement. You are certainly not bound with anything I've said here today. So you don't have to disagree if you don't, but I did want to explain the general agreement for the public and for the Commission so they can ask you questions related to it.

Mr. Ferrer: Craig described the situation of the agreement perfectly.

Mayor Cason: I guess the first question is, are you going to be able to have the study done by July 22nd?

Commissioner Quesada: Well prior to that so we can discuss it at that meeting.

Mr. Steve Scrubs: Good morning Mr. Mayor, Commissioners, nice to see you again. My name is Steve Scrubs with Florida Power and Light. We have engaged the contractor to conduct the study, we are hopeful that within a month from today we'll be able to share with you some information on that. It may not be finalized until say the 15th or so of July, but we are working

with the contractor to expedite that study as quickly as possible and provide you the information that you've asked for.

Mayor Cason: Frank?

Commissioner Quesada: That was the key question, number one; number two, when it comes to the lighting poles, I know that it's something that we discussed and we went back and forth when we were settling the matter. The idea of that, this Commission brought up that issue in our Executive Sessions was related to the fact that we can potentially save some costs there. I was informed recently that there might be some additional cost, so even if we changed to a private contractor are we still going to continue being charged per pole by FPL?

Mr. Ferrer: Yes, you will be charged for the energy that those lights consume on a set amount per pole based on the kilowatt hours that you consume on that particular light, the LED lights are approximately 60 percent more efficient than the regular high pressure sodium vapor lights or the metal light, so that's worth saving. There will be an initial cost whether you do it with somebody else or you do it with us in the retrofitting of the existing system to an LED system.

Commissioner Quesada: Currently I believe the ballpark price, and I'm just using an approximate amount here, for per pole to get charged somewhere \$20-\$22 a pole for maintenance, does that include the energy charge or not?

Mr. Ferrer: That includes the energy charge.

Commissioner Quesada: It does.

Mr. Ferrer: So that will be reduced. The amount that we charge for the pole, the facilities will probably remain more or less the same, because the new offerings, by the way, we are ready now to begin working with the City on any of the options that you decide. There are as you know, different types of street lighting that we have in the City. We have the decorative lighting that's underground and we have also lights that are the cover-head type, what we call the open bottom that are attached to either comfort poles or our normal distribution poles. Those we can start doing or converting to LED's at any time you want because those would not be part of any contract or own or city-own.

Commissioner Quesada: What is the typical, today in Coral Gables, what's a typical energy charge that we get monthly...if you know that off the top of your head?

Mr. Ferrer: Since the opals are different, I don't have typical, perhaps Victor do you have that information with you by any chance? Typically, on a pole, the decorative poles, depends also on the size of the lamp and...

Commissioner Quesada: Understood. While he's looking for that information, we've also heard different numbers as far as what the retrofitting from the standard light bulbs that we have now to the LED lights. Do you know what the cost would be to retrofit the poles to be LED lights what FPL would charge?

Mr. Ferrer: We do not have those figures, so it would need to be worked out specifically to the part of the system that you want.

Commissioner Quesada: Are there any other municipalities that have used FPL to change their poles to LED?

Mr. Ferrer: Yes. We have engaged into an aggressive retrofitting with the City of West Palm Beach, which was our pilot program.

Commissioner Quesada: And what was the cost the City of West Palm Beach proposed?

Mr. Ferrer: I don't have those numbers but I can forward them to you.

Commissioner Quesada: Because we've heard a big disparity in numbers from \$100 to \$2,000 a pole and we just want to get a better idea of what that is, so if you can follow up and provide that information to the City Manager so she can give it to us, so we have a better idea of moving forward.

Mr. Ferrer: Sure.

Commissioner Quesada: Because the idea working that into the settlement agreement is really trying to be able to cut down our costs when we saw that some of the private companies were charging considerably less than FPL, and at the same time being able to retrofit to LED, which is obviously more efficient in the long run and provides a better service. So that was really the intent of the Commission for that, so that's why we are really focused on that, and when you say that we are to be charged the energy charge it concerns me and I feel like – I hope we haven't had the wool pulled over our eyes here in this settlement agreement. I really hope that's not the case, but I hope we can work this out.

Mr. Ferrer: That energy charge will be applicable anyway.

Commissioner Quesada: I understand that. I just hope that we were doing this in the best interest to move forward to working with FPL. I hope that's the case moving forward.

Mr. Ferrer: We will meet with Public Works and develop a set of costs and different scenarios to present to you, perhaps in a couple of weeks, in two Commission meetings, whenever it's ready so you have a better picture of what we are talking about.

Commissioner Quesada: OK.

Mr. Ferrer: Removal of our existing facilities, if that's the position and/or retrofitting the lights that are available. Right now for the decorative lighting, the solution is to replace the whole fixture with an LED fixture, however FPL is working on a kit which we designed just to use the same fixtures that you have and change some components so we can use the LED lights on the same fixtures without incurring that much cost, and what I'm offering to you today is, we have like 4 or 5 of those kits available, we'll like to install them in the City with Public Works 4 or 5 lights that we can test and see how they perform in the field and once we have assurance that it works perhaps we can present to you even in one more option that would be cheaper than replacing the whole fixture with an LED fixture.

Commissioner Quesada: OK.

Commissioner Keon: Those would be lights that are currently underground, is that right?- those are the ones that are already undergrounded in there, not the older lights like along Granada, but the lights that have been, the decorative lights that have replaced other places.

Mr. Ferrer: Right, that is correct. You have your Coral Gables pole, the Coral Gables fixture alongside Granada also.

Commissioner Keon: But we just did Ingraham Park. Those lights that are at Ingraham Park, the park that we just opened, those are underground lights and they are new, they are brand new lights.

Mr. Ferrer: Yes, if they are Florida Power and Light owned and maintained, if the City owns that's something we have to work with, with Public Works.

Commissioner Keon: That we need to talk about, OK. We have a – I'm sure you have a map that lists every street light in the City of Coral Gables. Does it include even the lights that belong to

the City of Coral Gables are the ones that are county maintained because they are along county roadways?

Mr. Ferrer: Yes Commissioner.

Commissioner Keon: With everything on it, so we could have a discussion with you related to the costs associated with each of these different types of light, what it would cost to retrofit each of these types, we could talk about what the energy cost on each of these types of lamps are and he's paying for them, and then based on that we could make a decision as to where we might want to go with the retrofitting of some of those lights, but we would need to understand what the entire cost related to each one of those lights.

Commissioner Quesada: We can't make a fully informed decision at this point.

Commissioner Keon: Until we know exactly and how many and everything else. I'm sorry, go ahead.

Commissioner Lago: What I want to find out and Mr. Ferrer thank you for coming by the way, I appreciate it. As you can tell this is something that is near and dear to everyone on this Commission and everyone at the City. My question to you is because you mentioned energy cost, can you expand a little bit in regards to energy cost? I know that Commissioner Quesada was mentioning about a maintenance fee that we pay, is it once a year or is it on a monthly basis to FPL?

Mr. Ferrer: Right now the street lighting systems are being built under a tariff that's a group by the Public Service Commission, depending on the type of pole and the type of light and what it consumes there is a set fee that many, many years of research has verified of what a particular bulb consumes, because this are not metered accounts, these are unmetered accounts. So we base that on a set fee for energy per pole. The lights that you own, for example, we only charge you for the energy. We give you a point of service, you own the lights. You maintain the system. You own the poles, the wires, and we charge you per pole based on the size of the lamp. If it's a 75 watt lamp it cost less than 100 watt and that's calculated assuming the daylight, the time that a typical light is on.

Commissioner Lago: So let's just do a quick math. From my understanding is, we are talking about 4,000 lights in the City, about 15 percent of them are owned by the City of Coral Gables, so that leaves us with around 3,400 lights that FPL controls.

Mr. Ferrer: More or less.

Commissioner Lago: More or less. Does anyone on this Commission or staff can you educate me in regards to what we pay every year to FPL in regards this energy cost?- maintenance fee?- is it a flat rate?- is it \$1 million dollars?- \$800,000?- I'm looking for something so I can divide 3,400.

Mr. Ferrer: I don't have the cost of those street lighting accounts...but we can very easily pull that for you.

Commissioner Lago: The reason why I'm asking is because...

Interim City Manager Olazabal: We pay \$651,000 a year for street lights.

Commissioner Lago: So divide that my 3,400 if you can please.

Mr. Ferrer: Remember there are some light that belong to the county, it's city-owned, county-owned.

Commissioner Lago: What I want to do is and I think it's going off what Commissioner Keon was saying, if we are going to retrofit or if we are going to remove these poles and harden them, whatever the case may be depending on the current situation of every single pole, I want to make sure that if we are spending "X" amount of dollars currently that we see not only an environmental benefit, not only a safety benefit because there is a correlation between lighting and safety, I want to make sure that we actually see a savings in regards to the taxpayers. So if there is an energy cost and I'm making up a number here, I heard a number of \$20-something dollars per pole, is that what we've been hearing?

Commissioner Quesada: Yes \$22...

Commissioner Lago: \$22, \$23, \$24, if I'm hearing that the private sector is doing it for \$12, \$13, \$14, that number includes energy cost, correct?- or is that number just....

Mr. Ferrer: You will still be billed for an energy charge by FPL.

Commissioner Lago: Which would be reduced because of obviously the efficiency.

Mr. Ferrer: It would be dramatically reduced by approximately will be 60 percent more efficient – yes.

Interim City Manager Olazabal: If I may? I was under the impression that the tariff was set for light and there is no difference between what FPL charges for LED light versus a regular light, is that the case?

Mr. Ferrer: There is no difference for what? I'm sorry ma'am.

Interim City Manager Olazabal: That the tariff is set in Tallahassee and that it is based on the size but not based on if it's an efficient light or non-efficient light, so that...

Mr. Ferrer: No, it is based on the wattage...

Interim City Manager Olazabal: On the wattage.

Mr. Ferrer:...and bearing in mind that you want to replace a 100 watt regular light with an equivalent LED light that would only consume 40 watts, so that's where the savings come. Of course there would be a payback period, because you are incurring into initial cost, so you pay it to us until somebody else the retrofitting of the lights

Commissioner Lago: Yes, but the ROI, the return on investment on these types of LED lighting is two to two and-a-half years that you see...

Mr. Ferrer: Depending on the light it could be more than that.

Commissioner Lago: Depending on the amount of retrofitting of the pole.

Mr. Ferrer: Three to five years.

Commissioner Lago: But the bulb itself, the bulb itself usually pays itself back in about two to two and-a-half years.

Mr. Ferrer: As soon as you retrofit, you will start incurring savings on the energy.

Commissioner Lago: But let me ask you just one final question on my end, because that we are a little bit – I think we are taking the right steps, but we are a little bit too premature to really get some final quality numbers so that we can make any decision. I think this is something that is forthcoming, that's going to be coming now when we actually do our sustainability plan. In reference to what we are waiting for, I remember, correct me if I'm wrong. The study that we are doing is to just to make sure that we have all the specifications for CD's (construction documents), correct?

Mr. Scruggs: Well essentially, what it's doing is the engineers who did the larger underground study are going to make a specific study just within the limits of Coral Gables.

Commissioner Lago: Which would then give us the confines in regards to being able to produce some sort of architectural engineering drawings so that the contractor knows what they actually have to bid, correct?- so we can get a quantity of numbers.

Mr. Scruggs: This study is not producing a bid specification, but it will include all the information and references to what standards need to be met, but we will continue to work with you to develop that bid specification. Obviously, before going to operate that system we want to make sure it meets all the appropriate standards.

Commissioner Keon: But the most important thing is like what he just mentioned, we are building the standards right now, and they want to run it.

Commissioner Keon: But I think that what we were hoping for were bid specs so that when you do give us a bid we have the ability to have other people look at it and we can determine whether who we use, who actually builds this for us because we have a tremendous fiduciary responsibility to our residents to ensure that whatever we undertake we undertake at the best cost for the best quality that we can do, so in order for us to be able to make those comparisons we need bid specs.

Mr. Scruggs: My understanding during the course of the negotiations we were going to provide you with a capital cost estimate study for underground system to meet the requirements of the City of Coral Gables and a national electric code standard that the City mentioned that they had an independent engineer that would be representing the City. We offered to meet with that independent engineer we still will, and that that would be the entity that would invest providing producing the bid specification and running in a bid for the City, not necessarily FPL, if that's something else that's desired we can certainly be open.

Commissioner Keon: Who is the engineer from the City that is doing this?

Interim City Manager Olazabal: Who is the engineer of the City...?

Commissioner Keon:...from the City that is going to be working with FPL to do this?

Interim City Manager Olazabal: Once we get the study we'll have Ernesto Pino look at it and...

Commissioner Keon: I think the issue is I would like to have somebody there in place that is working with FPL as they are doing the study, so that we know we are getting the information that we need from this study – to do a study and then come back and provide us with the results of a study that says, Oh that isn't really what we asked for or that the information isn't adequate, the information isn't detailed enough and then we have to go out and do another study. I don't want to do that. I want to know that the study that we are doing is going to provide us the information that we need.

Commissioner Lago: So we can go to market, so we can go to market.

Commissioner Keon: You understanding that is what we are getting.

Commissioner Lago: Before you can even go to the voters, sorry to interrupt, before you can even go to the voters I need two things. I need a price from FPL, I need three things, I need a price from FPL in regards to as if FPL was going to do all the work, number one; number two, specifications so that construction documents can be done, and private entity bids so that we can basically take a look at and say, OK, the private sector versus the public sector make sure that they both provide what FPL needs, obviously you need to provide something that meets their criteria, and then we can say, OK, the delta is going to be "X" and we need to...

Commissioner Quesada: Commissioner, we are not going to have private sector bids by the next meeting.

Commissioner Lago: Of course not, of course not, but we are going to get an idea of what the cost is going to be.

Mayor Cason: Pretty much in the ballpark of what it would cost to underground by the next meeting, if we are going to go to the voters, if we decide to do that and say it will cost more or less to do it this way. It doesn't have to be exact but it has to be in the ballpark.

Commissioner Quesada: It has to be in the ballpark.

City Attorney Leen: If I could say something here. We do have Stantec as our – they were well C3CS or however they go, but Stantec now, they are the engineer, the expert that we've used to assist us in the litigation so they are still on board. Now it's ultimately – the City Manager could use someone else if you like, but we don't have to, we could use them, they are very familiar with the project and they did advise us on the alternate corridor and they also gave us advise on our current corridor if we put above ground poles. So they are familiar with the corridor. Now it's a different issue about undergrounding so we could consider using someone else, but that's

one, we do have someone on board. Two, I think ultimately for the ballot question and I've done research on the ballot question, spoke with the County Attorney responsible for that. Also Liz has done some research. We are putting together a proposed ballot question for you. Obviously we'll be speaking to you individually because you'll decide what's in the ballot question, so we are working more on the form at this point, but we are going to need to know a cost – I'm sure FPL is not going to give us a cost not to exceed, but we need something similar, at least a number, even if we get bids that are better that's fine, but we need to give some sort of outside parameter as to how much this will cost so that people are familiar or are aware of what they are voting for that's what the case law says. So that's what we are hoping to get from this, whatever the Commission says today we would like to get, but at its essence we do need to know some cost figure for the 2.5 mile distance so that we can put that on the ballot.

Mr. Scruggs: This is what is going to be provided in the study, particularly as Attorney Leen has mentioned. Recognize too, this company that's doing the study has presented this information as a part of this site certification hearing. It was vetted, cross examined, and found to be credible. So again, we are taking a new more specific look at Coral Gables, but it's being done with an engineer who has already run the gauntlet and been questioned by other attorneys and such and found to be credible and accurate. I think you can find some confidence....

Commissioner Lago: May I ask you just one quick question, if you can divulge the information. Who is the individual, the engineering firm who is providing the study?

Mr. Scruggs: It's a firm called Power Engineers Incorporated.

Mayor Cason: Since we have to move on to another item, one last question. When will be the earliest that you would build the new transmission lines if we ended up not undergrounding?

Mr. Scruggs: We need to start construction at the beginning of 2017.

Mayor Cason: Beginning of 2017. OK. Thank you.

Commissioner Quesada: I guess one last thing for Madam City Manager. If you can get, I don't know if you find three different private companies that do this type of work, as soon as we get the report from them if we can get, reach out to them informally and get a ballpark estimate of what they think because obviously we can't expect them to turn around a bid within two weeks if you're anticipating that we'll get the study back a month from today. So if you can reach out to them now or have, I guess, have Mr. Pounds reach out to them now to get a better idea, to be ready for it so that we can get a better idea what the private sector may charge us.

Interim City Manager Olazabal: We'll start researching which firms can advise us as to the completeness of the study as it is right now. What I would ask from FPL is as soon as you have some sort of draft that you can make it available to us. Right now we just haven't received anything staff can review and provide feedback, but we will insure, try to ensure that we have a complete document as we can for the next Commission meeting, that's our goal.

Mr. Scruggs: I can talk to you later and point you to a larger underground study that was done for the entire U.S.-1 corridor by this company so it will have a lot of the information you are seeking is already available.

Commissioner Quesada: OK. Perhaps we can provide that to the private contractors to get a better idea on the price. OK. Thank you.

Mayor Cason: Thank you very much. Thank you for coming.

City Attorney Leen: Mr. Mayor if I may say one other thing. We reached an agreement and I think that, that's important going forward and FPL will work with us. I believe that Steve is an honorable man and he's the one who is the project manager here and we have a good relationship and I know Ramon have had a good relationship with the City for a long time, but I do want to make no mistake, we did fight over this for a long time and the City did valiantly put forward its arguments and we litigated this to the full extent we could up until the last day, and we were going to lose and reached an honorable settlement I thought that was in the best interest of the City, but they were acting in their best interest and we were acting in our best interest.

Commissioner Lago: One last thing, I'm sorry, I know we have to move to another topic. Ramon, do me a favor, please get me the information, get us, get it to the City Manager....

Mr. Ferrer: I was waiting for the sort of go ahead Commissioner...

Commissioner Lago: Get us as much information of existing lighting that we have here in the City, proposed lighting options, map, energy cost, maintenance, metering, potential fees, anything you think that is pertinent and it could help the City, please provide it for us, because obviously we are heading in that route. You see that other municipalities are heading in that route, we just want to get...we don't want to wait years, we want to get in front of this and be proactive.

Mr. Ferrer: Absolutely.

Commissioner Keon: Excuse me Carmen, who from the City will do this?

Commissioner Lago: Sonia.

Commissioner Keon: It will be Sonia Succar that will do this?- so it will be Sonia that it would be.

Interim City Manager Olazabal: Sonia and the consultant that will help her...

Commissioner Keon: OK. I'm comfortable with that. I wanted to ask you, are we issuing the permit to begin to harden those poles?

City Attorney Leen: We have six months – I've already asked it to be expedited and Carmen has agreed, Ernesto is working on it, it's part of our agreement. We are allowed to put reasonable conditions on the poles and we'll be looking at that, we'll be working with FPL. One thing, you are going to be receiving a request from me, you don't have to answer now, but we would like your assistance in helping us to pay for an expert to evaluate it, so that we can expedite it more. You'd be receiving that request from us soon, but we would hope, I'm not sure if it's part of cost recovery or something like that, but we would like some assistance because we are going to follow the agreement and expedite and you will be getting that request from us soon. One other thing I wanted to say was, one other benefit we received in the agreement, which is something that they do elsewhere, but if we do put the pole above ground, I mean pardon me, underground, we will receive an offset of the cost that it would have cost to put them above ground, which is substantial so it's another benefit we receive, and when I say – they are obviously bound to the agreements they've reached as are we, but the goal here today was not to bring you here to tell you things and have you agree to it here, but it was for you to hear the Commission's view we really do need that information by mid-July if we are going to have any chance to put this on the November ballot, so we ask that you work with us to try to do that.

Commissioner Lago: Thank you gentlemen. I appreciate that.

Mayor Cason: Thank you very much.

Commissioner Keon: The hardening of the poles is that increasing the diameter of those poles is that what the hardening is?- how do you harden a pole?

Mr. Ferrer: Yes, it's both.

Commissioner Keon: So you replace the existing pole with a bigger pole, with a bigger pole?

Mr. Ferrer: With a bigger pole.

Commissioner Keon: So that's what it means when you harden – a different design. Are these the poles that are 4 feet in diameter?

Mr. Scruggs: Again depending on how tall they are – taper determines the diameter at the base.

Commissioner Keon: You are hardening the poles that are currently in place and so they don't exceed – what are the highest poles we have?

City Attorney Leen: Today is about 72 feet.

Commissioner Keon: OK. So the poles we have today are 72 feet, so the new poles that you will be providing are poles that are more than 72 feet or the poles that exist today are the same height but they will be wider, is that right?

Mr. Scruggs: They'd be wider than they are today, they'll be narrower than 4 feet.

Commissioner Keon: OK, but not dramatically, so they could be close to 4 feet, and what exist today?- how wide are the ones today?- a foot?- two and-a-half feet?

Mr. Scruggs: Probably two to two and-a-half feet, concrete, folds that are all concrete are more like two and-a-half feet and square...

Commissioner Keon: Now...

Mr. Scruggs:...And this would be a 3-foot diameter for an equivalent replacement.

Commissioner Keon: A 3-foot diameter or an equivalent replacement. You know, I want people to know going forward when they see bigger poles, not taller, but wider and bulkier poles going in that this is what was approved by the legislature and what is coming.

Mr. Scruggs: It's all to harden the systems so that we can be more quickly able to restore power after a major hurricane.

Commissioner Keon: OK. Now I understand that, but I know every time that one of those concrete poles goes into someone's neighborhood we get calls about those poles and how unattractive they are. I want them to know that along that transmission line, along Ponce those are going to be bigger, bulkier, wider concrete poles, OK, that's the case.

Mayor Cason: If we don't underground.

City Attorney Leen: But also to be clear, there will be no new poles; there will be pole-for-pole. The only place where there might be a new pole is by the driver's license bureau if we decide to retain it and not go underground, they would have to go around the building, is my understanding. If we elect that option, but otherwise there would be no new poles, so no resident is going to have a new pole somewhere that doesn't exist today, that's basically....

Mr. Scruggs: The details of all that is spelled out in Attachment 1, to our agreement.

City Attorney Leen: Attachment 1 to our agreement, and that's part of the order issued by the Governor, so it's something that we can enforce and something that FPL is required to follow, they will follow, but they are required to follow as well.

Mayor Cason: Thank you very much.

[End: 10:09:24 a.m.]