

CITY OF CORAL GABLES

RESOLUTION NO. 2005-179

RESOLUTION OF THE CITY OF CORAL GABLES COMMISSION, URGING FLORIDA POWER & LIGHT TO PROACTIVELY ADDRESS CITY-WIDE ELECTRICAL OUTAGES BY IDENTIFYING CAUSES OF OUTAGES, SUCH AS WIRING, EQUIPMENT THAT NEEDS TO BE REPLACED OR ANY VEGETATION INTERFERING WITH PROVIDING RELIABLE ELECTRICAL SERVICE; FURTHER URGING CITY RESIDENTS, BUSINESS AND PROPERTY OWNERS TO PERMIT FLORIDA POWER AND LIGHT ACCESS TO CLEAR VEGETATION FROM UTILITY LINES AND TO PERFORM OTHER MAINTENANCE WORK IN ORDER TO MAINTAIN SAFE AND RELIABLE ELECTRICAL SERVICE CITYWIDE AS REQUIRED BY THE UTILITY TARIFF ON FILE WITH THE FLORIDA PUBLIC SERVICE COMMISSION

WHEREAS, the City has entered into numerous franchise agreements to provide for the delivery of utility services to its residents, and businesses alike; and

WHEREAS, as part of the effort of providing safe and reliable service to City residents, businesses, and property owners, Florida Power and Light, is urged to conduct the necessary inspections/analysis to insure that the equipment including but not limited to power lines, transformers and poles are properly and routinely maintained; and

WHEREAS, as a general rule, when a tree or other vegetation which has been planted by a resident, or its growing naturally, interferes with or impedes the delivery of utility services, or in the discretion of the utility is at risk of interfering with or impeding the delivery of utility services, the utility company is able to gain access to public and/or private property for the purpose of removing or pruning the offending tree or vegetation; and

WHEREAS, occasionally, property owner(s), his/her/their tenants(s) or agents, preclude the right or ability of the utility company to enter private property for the purpose of removing or pruning the tree or other vegetation which is interfering with or impeding the ability to deliver utility service or in the discretion of the utility is at risk of interfering the delivery of utility services; and

WHEREAS, the Utility Tariff in particular Sections 2.8, 5.5 and 5.6, outlining service agreement between the utility company, Florida Power and Light (FPL) and utility customers, residents and business owners of the City receiving electrical service, clearly states the utility company's right to access premises and address any interference with the utility company's facilities that may cause service interruptions; and

WHEREAS, by providing access to their premises to Florida Power and Light, the residents and property owners will greatly assist FPL in performing its maintenance/work in accordance with the rules and regulations of the Florida Public Service Commission and contained in its Electric Tariff, all of which helps to ensure the continued delivery of safe and reliable electric service; and

WHEREAS, the City supports Florida Power & Light's efforts and right to gain access to clear vegetation from utility lines on private property and to perform other maintenance work in order to maintenance safe and reliable electrical service city-wide; and

WHEREAS, the City of Coral Gables supports and encourages the residents of Coral Gables to educate themselves with FPL's Plant the Right Tree in the Right Place program, which encourages selecting the right tree and planting it in the right place around power lines such that potential tree related safety hazards and electric service reliability issues can be minimized within the City; and

WHEREAS, in order to protect the health, safety and welfare of its residents, the City desires to avoid the unnecessary interference with disruption of utility services;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF CORAL GABLES:

SECTION 1. The foregoing recitals are incorporated herein in their entirety

SECTION 2. Florida Power & Light is requested to maintain safe and reliable electrical service City-wide as required by the Utility Tariff on file with the Florida Public Service Commission.

SECTION 3. Residents, businesses and property owners of the City of Coral Gables are encouraged to permit Florida Power and Light the required access to clear and remove vegetation from utility lines and to perform other maintenance work as required to provide safe and reliable service

SECTION 4. City and Florida Power & Light will continue to evaluate the possibility of converting overhead electrical distribution to an underground system

SECTION 5. That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS THIRTEEN DAY OF SEPTEMBER 2005, A.D.

(Moved: Kerdyk / Seconded: Anderson)

(Yeas: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

(Unanimous/ 5-0 Vote)

(Agenda Item H-3)

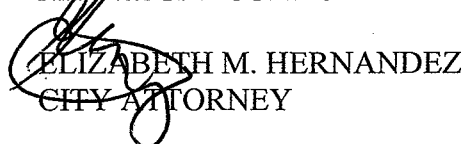


DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


ELIZABETH M. HERNANDEZ
CITY ATTORNEY