



City of Coral Gables
CITY COMMISSION MEETING
June 13, 2023

ITEM TITLE:

Resolution.

A Resolution approving a form Agreement for the Location of Certain Underground Utilities with Florida Power and Light (“FPL”) for the Location of Certain Underground Facilities within the right-of-way to facilitate the undergrounding of utilities within the City in accordance with the FPL Storm Secure Underground Program and such other programs as may be approved by the Florida Public Service Commission and authorizing the City Manager to execute such agreements with corresponding exhibits on an ongoing basis for specific location requests mutually agreed to by FPL and the City.

BRIEF HISTORY:

In November 2019, the City Commission was presented with non-binding ballpark estimates for the cost of conversion of overhead utilities to underground utilities. After the presentation, the City Commission adopted Resolution No. 2019-347 directing staff to prepare and execute a community engagement campaign to include educational materials, vignettes, renderings, community meetings, charettes, and written/oral surveys/polls to effectively engage with community stakeholders, listen, and learn their views, concerns, and insights on the potential undergrounding of utilities. On August 25, 2020, staff presented an update to the City Commission and recommended that if the City Commission wished to continue working toward the possibility of having a question relating to the citywide undergrounding of utilities on a future ballot, that the matter not be placed before the voters prior to 2022, to allow for the community engagement campaign to resume in the second half of 2021, should it be safe to do so at that time. In Resolution 2021-136 the City Commission directed City staff to resume community engagement, continue working to prepare further City Commission action and the potential execution of the citywide undergrounding of utilities, hold workshops with the City Commission in early 2022 and place any necessary items on the June 2022 City Commission meeting agenda for the City Commission’s consideration on whether to place a ballot question before voters, relating to the underground of utilities citywide; and

After various discussions with Florida Power and Light (“FPL”) and as a result of legislative and regulatory accomplishments and strategic milestones, FPL shared with the City its plans under its Storm Secure Underground Pilot Program (SSUPP), which eliminates the need for the City to lead the project, for a voter referendum, for general bond issuance, and for the imposition of the cost of undergrounding on City residents and

businesses. FPL has committed to working with the City to find the opportunity, as part of FPL's main (feeder) line hardening, to convert specific main (feeder) line sections located along the City's signature streets where there are engineering and vegetation management issues that validate or justify the need for undergrounding of such main (feeder) line sections rather than overhead hardening.

Given FPL's current estimate of lateral and feeder underground work within the City as part of FPL's SSUPP approved by the FPSC and its plans to work with the City, the City Commission wishes to allow FPL to proceed with the project as set forth above and not proceed with a City-managed and directed project that would have required a voter referendum, a general obligation bond issuance, and imposition of the cost of overhead-to-underground electric infrastructure conversion on City residents and businesses. On August 24, 2022, the City Commission adopted Resolution No. 2022-197, accepting FPL's plan to place overhead utilities underground via the SSUPP.

On December 13, 2022, the City Commission adopted Ordinance 2022-69, amending the City Code - Chapter 78 "Utilities" requiring attaching entities to underground and remove collocated facilities, requiring pole-owners to remove redundant utility poles, providing for procedures related to major hardening projects, and requiring property owners to cooperate and comply with access to utility easements, access to property, and location of facilities.

In connection with the SSUPP, FPL is beginning the process of designing and converting certain overhead electric distribution facilities located within the City of Coral Gables' boundaries to underground facilities, including transformers, switch cabinets and other appurtenant facilities some of which may be installed above ground (collectively, the "Underground Facilities"). As a part of the conversions being undertaken by FPL, FPL seeks to install and place the Underground Facilities within and on certain streets and rights-of-way located within the incorporated limits of the City.

It is a priority of the City to work with FPL to decide on mutually agreeable locations for the installation of Underground Facilities within the City. The proposed resolution approves a form agreement with FPL to facilitate the installation of Underground Facilities within and on the City's right-of-way and authorizes the City Manager to agree to specific locations and approve and execute such agreements with corresponding exhibits on an ongoing basis for specific location requests mutually agreed to by the City and FPL.

ATTACHMENT(S):

1. Draft Resolution