



Agenda Report

2725 Judge Fran Jamieson
Way
Viera, FL 32940

New Business - Add-On

J.4.

5/4/2021

Subject:

Authorization To Execute Development Permit Applications for the Proposed FP&L Duran Substation in Viera

Fiscal Impact:

There is no fiscal impact to the County for this request.

Dept/Office:

Utilities Department

Requested Action:

It is requested that the Board authorize staff to execute FDEP permit applications, and subsequent regulatory agency permit applications as needed, to facilitate development of the FP&L Duran Substation property in Viera as a prelude to potentially selling a portion of County Utilities property to FP&L for the substation.

Summary Explanation and Background:

FP&L has approached the County with a proposal to purchase some County Utilities property at the South-Central Wastewater Treatment Facility at the west end of Wickham Road for the purpose of building a power substation. This effort by FP&L is an urgent matter in order for FP&L to be in a desirable posture to provide adequate power to the growing Viera Community. As a part of the associated discussions with the County staff and their due diligence, FP&L is preparing all needful documents including; Site Plan drawings, engineering calculations and analysis, various permit applications, surveys, etc. to be prepared to start construction in as short a time frame following closing on the purchase of the property should the Board of County Commissioners (acting as the Utility) approve the land transaction/sale.

County staff including the County Attorney's office, are working with FP&L staff to complete a contract for Board consideration. That contract is nearing completion but the transaction is to be based on an appraisal and provide for other valuable consideration in addition to the purchase of the land.

In order to meet FP&L's planned development schedule for the substation, it is necessary to submit permit applications beginning now. Since the acquisition is still in the negotiation phase, and regulatory agencies will not accept permit applications unless authorized and executed by the County, as property owner. And since the FDEP permit is currently anticipated to be on the critical path for them to start construction of the substation; FP&L wishes to, at their own risk, make application to the FDEP as soon as practicable even prior to owning the property. Finally, as the negotiation efforts associated with the purchase agreement seem to be proceeding favorably, staff is seeking Board authorization for the County Manager or his designee, to execute the FDEP application as well as other similar permit applications.

Once negotiations are complete, staff will bring the resulting acquisition agreement to the Board of County Commissioners for approval. Staff anticipates the agreement will be scheduled for a Board meeting in July 2021.

There is no fiscal impact to the County for this request. FP&L will pay all costs associated with the permitting,

including preparation of any development and engineering plans, surveying, and related services. This action in no way obligates the County to proceed with the transaction.

Clerk to the Board Instructions:



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May 5, 2021

MEMORANDUM

TO: Eddie Fontanin, Utility Services Director

RE: Item J.4., Authorization to Execute Development Permit Applications for the Proposed FP&L Duran Substation in Viera

The Board of County Commissioners, in regular session on May 4, 2021, authorized staff to execute Florida Department of Environmental Protection (FDEP) permit applications, and subsequent regulatory agency permit applications as needed to facilitate development of the FP&L Duran Subdivision property in Viera as a prelude to potentially selling a portion of County Utilities property to FP&L for the substation.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
RACHEL M. SADOFF, CLERK

Kimberly Powell
Kimberly Powell, Clerk to the Board