

RESOLUTION NO: 2009-34

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE EXPENDITURE OF \$33,493 TO FLORIDA POWER AND LIGHT COMPANY FOR DESIGN AND ENGINEERING COST ASSOCIATED WITH UNDERGROUNDING ELECTRICAL UTILITIES; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR OSCAR ALFONSO)

WHEREAS, at a Special Election held on September 5, 2006, the citizens of the City of North Bay Village authorized the issuance of General Obligation Bond in an amount not to exceed \$9.1 Million to bury the utility lines throughout the City; and

WHEREAS, Florida Power & Light Company has provided the City with a ballpark estimate of \$3,773,000 for the conversion in an effort to assist with the preliminary decision making; and

WHEREAS, based on the estimated cost, the City is required to pay \$33,493 to Florida Power & Light Company in order to proceed with the implementation of the project, through the preliminary engineering phase.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AS FOLLOWS:

Section 1: The foregoing whereas clauses are hereby ratified and confirmed as being true; and the same are hereby made a specific part of this Resolution.

Section 2: City Manager is authorized to expend \$33,493 to Florida Power & Light Company for design and engineering cost associated with underground electrical utilities.

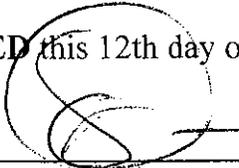
Section 3: Effective Date. That this Resolution shall become effective immediately upon its adoption.

The motion to adopt the foregoing Resolution was offered by Mayor Oscar Alfonso, seconded by Commissioner George A. Kane.

FINAL VOTE AT ADOPTION:

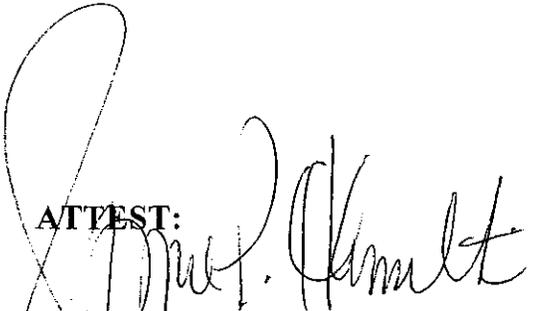
Mayor Oscar Alfonso	<u>Yes</u>
Vice Mayor Reinaldo Trujillo	<u>Yes</u>
Commissioner George A. Kane	<u>Yes</u>
Commissioner Frank Rodriguez	<u>Yes</u>
Commissioner Paul Vogel	<u>Yes</u>

PASSED and ADOPTED this 12th day of May 2009.



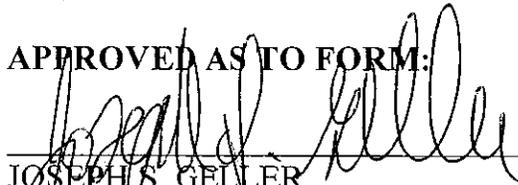
OSCAR ALFONSO
Mayor

ATTEST:



YVONNE P. HAMILTON, CMC
City Clerk

APPROVED AS TO FORM:



JOSEPH S. GELLER
Interim City Attorney

(City of North Bay Village Resolution: Undergrounding of Electrical Utilities)

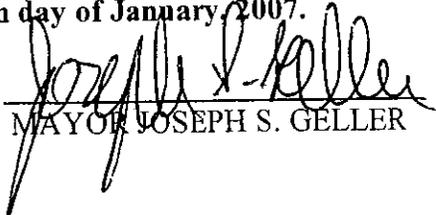
Section 6. This Resolution shall take effect immediately upon passage.

The motion to adopt the foregoing Resolution was offered by Vice Mayor George A. Kane, seconded by Commissioner Paul Vogel

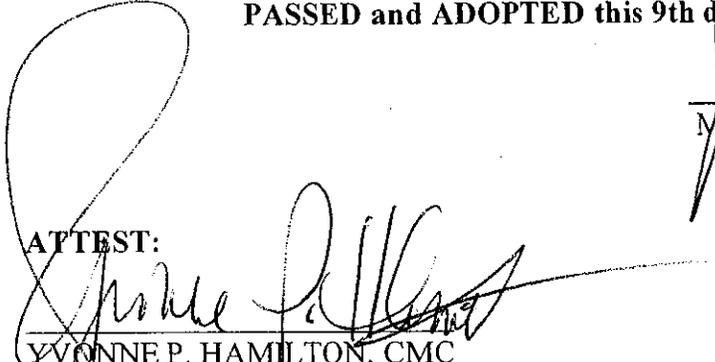
FINAL VOTE AT ADOPTION:

Mayor Joseph S. Geller	<u>Yes</u>
Vice Mayor George A. Kane	<u>Yes</u>
Commissioner Oscar Alfonso	<u>Yes</u>
Commissioner Reinaldo Trujillo	<u>Yes</u>
Commissioner Paul Vogel	<u>Yes</u>

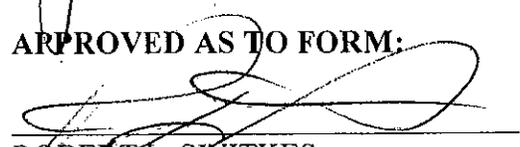
PASSED and ADOPTED this 9th day of January, 2007.


MAYOR JOSEPH S. GELLER

ATTEST:


YVONNE P. HAMILTON, CMC
City Clerk

APPROVED AS TO FORM:


ROBERT L. SWITKES
City Attorney

City of North Bay Village Resolution: Supporting the Conversion of Overhead Electric Distribution Facilities to Underground Facilities.

RESOLUTION NO. 2007-08

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, SUPPORTING THE CONVERSION OF OVERHEAD ELECTRIC DISTRIBUTION FACILITIES TO UNDERGROUND FACILITIES AND ENCOURAGING THE FLORIDA PUBLIC SERVICE COMMISSION TO IMPLEMENT ALL REASONALBE MEASURES TO ENCOURAGE THE CONVERSION OF ELECTRIC DISTRIBUTION FACILITIES TO UNDERGROUND FACILITIES; SETTING AN EFFECTIVE DATE. *(INTRODUCED BY VICE MAYOR GEORGE A. KANE)*

WHEREAS, all Florida citizens, businesses, and institutions require reliable electric service and reliable electric distribution infrastructure; and

WHEREAS, in the tropical storm and hurricane seasons of 2004 and 2005, Florida experienced unprecedented numbers of land-falling tropical storms and hurricanes impacting Florida and her citizens, and also experienced unprecedented damage to the overhead electric distribution systems of Florida's electric utilities, resulting in widespread and prolonged outages of electric service; and

WHEREAS, numerous long-term forecasts of tropical weather activity indicate that Florida is likely to be impacted by more, and possibly more severe, tropical weather events over the next ten to twenty years than were experienced over the period 1960 to 2003; and

WHEREAS, it is generally recognized that underground electric distribution facilities are significantly more reliable, and less subject to wind damage, than overhead facilities in tropical storms and hurricanes; and

WHEREAS, wide-area conversions of overhead electric distribution facilities to underground facilities are reasonably expected to provide significant reliability, cost savings and other benefits both to customers in the areas converted and also to the utility's general body of customers, including, without limitation, reduced or eliminated storm restoration costs in many tropical and other storm events, reduced or eliminated vegetation management (tree-trimming) costs, reduced costs due to damage claims due to electrical contact accidents, preserved revenues, and the substantial economic benefits flowing from reduced and eliminated electric service outages; and

WHEREAS, wide-area underground conversions will result in enhanced traffic safety and fewer accidents involving vehicles striking overhead electric facilities; and

WHEREAS, wide-area underground conversions will enhance environmental values and aesthetic values; and

WHEREAS, the City of North Bay Village and its residents are customers of Florida Power & Light Company ("FPL"); and

WHEREAS, the City of North Bay Village is a participant in the Municipal Underground Utilities Consortium, a group of Florida cities and towns that have joined together to fund a comprehensive evaluation of the costs and benefits of underground conversion projects, and the resulting cost-effectiveness study, has shown that substantial benefits would accrue to FPL and its general body of customers from underground conversions; and

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. The City of North Bay Village believes that all responsible agencies of Florida government, including the Florida Public Service Commission, should encourage the conversion of overhead electric distribution facilities to underground facilities to the maximum extent possible.

Section 2. The Florida Public Service Commission is strongly encouraged to ensure that any utility tariff provisions relating to underground electric conversions include and reflect all values that such conversions provide, including not only the specific cost savings benefits, such as reduced storm restoration costs and reduced vegetation management costs, mentioned above, but also the general economic benefits that flow to all citizens from reduced outages.

Section 3. Where there is a difference of expert opinion as to the values and benefits of underground conversions, the Florida Public Service Commission is strongly encouraged to require utilities subject to its jurisdiction, including FPL, to reflect the greatest justifiable benefits in the utility's tariffs, so as to encourage underground conversions to the maximum extent possible.

Section 4. The above-stated policies favoring the conversion of overhead electric distribution facilities to underground facilities are hereby adopted by the City of North Bay Village.

Section 5. This Resolution shall be forwarded to the Florida Public Service Commission, to the City of North Bay Village's representatives in the Florida Legislature, to Florida Power & Light Company, to the Board of County Commissioners of Miami-Dade County, Florida, and to any other interested parties.



CITY OF NORTH BAY VILLAGE

**UNDERGROUNDING
WORKSHOP
4/29/09**



**City of
North Bay Village**

Undergrounding Workshop

**QUESTIONS &
ANSWERS**

Overhead and Underground Electrical Service FAQs

1. What is FPL's standard service?

FPL and other utilities build to an overhead standard established in Florida by the Public Service Commission (PSC) as construction. We are, however, open to putting lines underground provided the additional cost is covered by or for the

2. Why was overhead established as the standard?

Overhead service was established as the standard construction for utilities because over time it has been the most cost-effective. When alternatives like underground service are requested by developers or mandated by cities, the customer benefiting from the additional cost.

3. Is FPL opposed to underground service?

Absolutely not. Already more than one-third of the neighborhood power lines in FPL's system are underground. We do understand the pros and cons of each type of service as it relates to performance, reliability and the cost of service, so that if they are contemplating a change.

4. What are the different strengths and weaknesses of overhead and underground service that affect performance?

While underground facilities are not as susceptible to wind and debris-blown damage, they are more susceptible to water damage, which can make repairs more time consuming and costly.

Overhead facility damage is easier to locate than underground and can generally be repaired quicker.

Underground interruptions may be less frequent, but typically last longer due to more complex repair requirements.

Following recent hurricanes, we've found that areas that took the longest to repair were generally those served by underground lines days after the storm passed.

Damage and corrosion of underground electrical systems often shows up days or even months later, causing additional customer complaints.

Storm winds can damage both types of systems causing outages. Overhead systems face outages resulting from trees at the site. Underground systems face outages from trees collapsing on above-ground transformers and switch boxes or from tree limbs touching cable when trees topple.

Also, we often forget that while a neighborhood may be locally served by underground cable, all electric service eventually connects to overhead service, either in the neighborhood next door, or further down the street where overhead main lines move power from power plants and substations into our neighborhoods. Thus, exposure to above ground electric service and trees is never fully eliminated.

5. Why is there a differential cost for new underground service?

It is the Public Service Commission's position, and FPL agrees, that it would be unfair to charge all FPL's customers a differential cost for new undergrounding, since not everyone would get the benefit nor necessarily be willing or able to pay the higher cost.

6. Why must the customer or requesting party pay for the conversion from overhead to underground?

Similar to new service requests for underground, conversions take into account the requirement that FPL provide electrical service in the most cost-effective manner available and this is typically an overhead system. (There are some exceptions for very dense underground areas [DUGA], such as downtown Miami and Ft. Lauderdale.)

In order to ensure that customers throughout our service territory are being treated fairly and that customers in one area facilities being built or converted in another area, the PSC enacted a rule requiring that the party seeking a conversion of facilities must pay for the associated cost of conversion. [See Florida Administrative Code 25-6.115.] State law also prohibits utilities from making or giving any undue or unreasonable preference or advantage to any person or locality. (See Florida

7. But I live in a community with underground service and I didn't pay anything extra - why is that?

You may not realize it, but you did. For aesthetic reasons, many developers contract with FPL and other utility companies are first laying out a new neighborhood. Thus the added cost for underground service and other community amenities is what you pay for a new home.

8. What does underground service cost in a new subdivision, versus new overhead service?

In general the basic costs are about a third more, but may be still more if additional work needs to be done on supporting putting a section of an adjacent main line underground. The builder/homeowner is responsible for paying the cost difference for new underground facilities prior to construction. The detailed cost components are provided in an FPL tariff (rules and service) that is available from your local FPL project manager [see FPL Electric Tariff sheets 6.090-6.100].

9. What are my options if I live in an established neighborhood served by overhead electrical service and I want underground?

You have a couple of options depending on what you want to do, what your neighbors want to do and/or your city. You can have your individual service drop converted from overhead to underground or seek conversion of all the neighborhood electrical service through your homeowners association.

Converting an older community's power lines from overhead to underground, however, can be very expensive and disruptive in urbanized areas. In conversion, the applicant pays the total cost of the conversion, since service already exists that must be replaced by installing a whole new system.

10. What's involved in converting my service drop?

In the case of overhead service, your service drop is the line that comes from the power line or pole behind or in front of your house. Customers who wish to have the line to their home buried may pay a flat fee of \$504.35 to FPL, but will also need to accept underground service. This requires a licensed electrician and in most cases an electrical permit. Since this work requires older home wiring to be brought up to today's standards, it's important to check with the proper authorities before starting. You also need to arrange for a trench to be dug from the pole to the meter location to hold FPL-provided PVC for the underground service.

11. Can you be more specific about some of the costs I may be facing if I pursue converting my individual overhead service to underground?

The costs can vary widely and depend on variables such as:

- Whether your local government's electrical authority requires electrical installation or wiring to be upgraded as part of the conversion.
- Whether an electrician (or another tradesperson) will do the work to dig and backfill the trench needed to bring the service drop to the building.
- The length of trench that's needed to accommodate the conversion.
- Whether the existing overhead "weatherhead" extends through the roof of the building, in which case you may need to repair the roof as well as paint and aesthetics.

These costs and arrangements are separate from the work FPL would handle and are the responsibility of the customer, such as converting from a septic tank to a sewer system or other similar efforts.

12. Who can request that all overhead facilities in a community be converted to underground?

Existing neighborhood overhead lines can be converted if a community so desires. Anyone willing and able to pay the cost of the necessary easements to place the facilities on private property may submit a written request. This includes local governments, builders and developers in a contained specific area such as a subdivision.

13. Does conversion from overhead to underground require a unanimous agreement from all property owners before FPL will convert its facilities to underground?

Generally, yes due to the following preconditions for such conversion:

- **Easements:** All the easements (property use agreements from owners) must be acquired before an underground cable can be installed. To the extent FPL can design around an occasional customer who refuses to provide an easement -- of its electrical system -- FPL will attempt to do so. In the case of converting to underground, this also means determining the new padmounted transformers that sit above ground, as well as where to put fairly large, above ground switches at homes as part of the underground grid.
- **Cost:** It's also necessary for all the requesting parties to determine in advance and agree on how all the conversion among those benefiting from the project before FPL can begin construction. Otherwise subsequent disagreement can be a costly effort and drive up costs.
- **Since FPL's tariff requires full payment of the calculated customer contribution amount prior to beginning construction, consider other options to offset some of the project costs. These options could include taking responsibility for digging, trenching and installing the conduit. Regardless of who does the work, the installation must meet FPL standards for electrical and building code requirements.**

14. Can the requester have a contractor perform the conversion work?

Yes, that's an option. The tariff requires only that the work be performed to FPL standards and the facilities be maintained currently working on drafting the appropriate agreements to be able to allow our customers this option. We should have several months.

15. If easements are difficult to obtain, why not place underground facilities in the public right-of-way instead of private property?

Typically, the only facilities FPL places in the public right-of-way are those necessary to cross under streets, like cable and conduits. Otherwise every road widening or improvement project could potentially compromise the company's ability to deliver service.

If, on the other hand, a local government were to offer FPL an easement or easement equivalent (a signed legal agreement), we would only consider this alternative if we cannot physically install the cable in private property. Only cable can be placed in a public right-of-way in these rare cases. These public right-of-way easements also would need to be legally conveyed and recorded on drawings. However, it's been our experience that local governments are reluctant to grant such right-of-way easements.

As for other facilities and equipment needed for underground, such as primary splice boxes, transformers and switches, an underground system would still need private property easements for us to be able to routinely access and maintain the service.

16. Why must the easements associated with underground facilities be at least 10 feet wide?

Ten feet is our standard easement requirement for "front" distribution neighborhoods in order to provide (a) adequate space for a pad-mounted transformer and underground cables, (b) sufficient area for FPL crews to safely work away from roadways, and (c) utilities that might occupy the same easement to install future cable and conduit without interfering with the electric traffic. Each padmounted switch cabinet requires a 20' by 20' easement for installation and operation.

17. Does FPL do overhead to underground conversions in rear easements?

Front easements are required for new construction, and are also typically required for conversions from overhead to underground. Front easements provide quicker access to the facilities. Should a power outage occur, facilities in the rear of a property may be inaccessible due to the property, and the inability to get to transformers and other equipment could delay the restoration of an entire neighborhood. Locating easements in the rear of the property if there existed an access road or alley that would allow for quick access to the facilities. Easement requirement will still apply.

18. In the case of conversions, what is FPL's preferred method of burrowing underground to lay cable and conduit?

Directional boring is generally preferred in conversions to minimize impacting other utilities which are generally buried electrical conduit and cable. Directional boring, while it may save on site restoration costs, is substantially more expensive.

Open trenching is usually preferable for the paying party because it is the least expensive method available. In addition other underground utilities may use the same trench, reducing the collective cost of burying all different facilities. This coordination. A disadvantage of open trenching is the amount of surface restoration required — such as landscaping an

Given that the locations of other utilities are not always known, especially in older communities, there is still a risk associated with boring that work may impact other subsurface utilities, such as water and sewer lines, gas lines or drainage lines.

19. Why must some of the equipment in an underground system remain above ground?

While conduit and cable can be placed underground, which eliminates poles and wire, transformers and switch cabinets crews at ground level for timely maintenance, outage repairs, rerouting power and other functions. (While submersible underground use, the technology and cost of these new devices have not yet proven to be practical and reasonable for F

20. Are there different ways the conversion of a full neighborhood or city might be financed?

Yes. For cities, FPL recently established, with PSC approval, a mechanism to recover the costs associated with converting underground by adding a fee to customer bills.

Additionally, Chapters 197 and 170 of the Florida Statutes allow municipalities to fund underground conversion costs imposed on tax bills. Landowners benefiting from the conversion must be identified and the special assessment may be government imposing the assessment or through annual property tax bills.

Another Florida Statute -- 125.01(q) -- lets counties establish municipal service benefit units and municipal service taxing governmental units may levy service charges, special assessments or taxes within these units to fund underground conversion.

21. How does the new FPL undergrounding tariff work?

In 2003, FPL set up a PSC-approved rule and process (tariff) for cities who wanted to have the option of converting to underground and who needed a mechanism to recover their costs.

Under this new tariff, a city could pay to make the conversion and then recover its costs over a designated timeframe by adding a fee on the bills of those customers in their jurisdiction who would be benefiting from the conversion. (Fees may not exceed [2] \$30 for residential and \$50 for every 5,000 kwh commercial.) No such arrangements have as yet been established under this new tariff.

22. What might it cost to convert from overhead to underground service?

The two key drivers contributing to the cost calculations are labor and materials. Depending on these factors, undergrounding can cost from \$500,000 per mile to more than \$4 million per mile. While these figures have a considerable amount of variability, we generate a "ballpark" estimate to assist in determining the magnitude of the cost a community may be considering.

23. What makes it so much more expensive to do conversions versus new construction, especially considering the peripheral work?

In conversions, FPL's costs are significant. The work includes building a whole new system, while operating the existing system once the new one is up and running. The higher costs also reflect the fact that conversions in older communities often require a type of excavation we use (boring or trenching) -- have a lot of issues associated with working in-and-around and avoiding existing utilities such as phone, cable, sewer, gas lines, water lines, etc. Finally, all new underground components must be acquired and installed (wire), padmounted transformers and switch cabinets. Additionally, shared main line work is usually required, which is converting individual service and neighborhood lines. Typically, as a percentage of cost, dismantling runs about 15 percent, components about 65 percent, and actual excavation about 20 percent.

24. What are some of the impacts associated with converting an older overhead system to new underground?

Converting from an overhead to an underground system means basically abandoning an existing working grid system.

The logistics of converting an existing grid system in an established neighborhood can be considerably more expensive property and surroundings than, for example, building new.

For example, utilities often share poles above ground, so that if the objective is to move utilities underground – it's not to be considered, but also phone, cable television and Internet service. This then presents additional considerations, such requirements, boring and/or trenching needs and ground-level switching boxes involved in providing each type of servi

Driveways, sidewalks, fences, landscaping, sprinkler systems and yards may need to be torn up or may be inadvertently delineated. Ingress and egress to homes and business could be impacted for extensive periods of time.

Because permits are needed to change meter-related equipment, conversions in older homes and neighborhoods may er requirements that homeowners/businesses bring interior wiring up to current code. This could require the expense of a potentially extensive interior rewiring and remodeling.

Finally, legal easements are needed from all conversion participants that allow FPL access to its underground equipment components – and a number of people must agree to have the large green transformer box and pad or other switching b

25. What will it cost to bury the other utilities such as telephone and cable television?

This question will need to be addressed by the other utilities.

26. What experience does FPL have assisting any groups with evaluating or actually accomplishing a conversion

Actually, our experience is limited, as many government entities or neighborhoods have abandoned the idea after fully other cases, voters have determined the disadvantages of conversion outweighed the advantages and have failed to auth

Some exceptions have involved city-initiated, limited scope conversions involving primarily a few downtown streets, s Dade, Broward, Palm Beach and Sarasota counties.

27. What are some examples of instances where proposed overhead to underground conversions would not be fe

- Instances in which private property owners aren't willing to provide the easements that are necessary for FPL to conversion.
- Locations where necessary safety standards and operational clearances cannot be met, for example extremely coi cabinets cannot be installed with sufficient operating clearances.
- Areas prone to flooding. (Excessive flooding can short out transformers, which then cannot be safely restored un

28. How long does it take to get a "ballpark" estimate?

Typically, it may take from two to three weeks. This time period may vary depending on several factors such as:

- the complexity of the job
- geographic size of the area to be converted
- facilities involved and type of equipment needed
- the electrical load being served, including the population density and number of switch cabinets required
- the current workload of FPL project managers.

29. How does FPL ensure the "ballpark estimates" are consistent throughout the territory?

FPL is working on establishing a comprehensive, standard plan and process that takes into account the many variations population densities across the system. The "ballpark estimate" is simply an order of magnitude (for example -- \$5,000 requestor in determining if they want to move forward with a conversion project and seek a binding estimate. Unfortun variables, there is no single blanket cost.

30. Can FPL provide a simple cost or range of cost for conversion from overhead to underground based on dunks

No, as noted earlier, there are just too many factors and variables that are unique and distinct to each conversion request.

31. How long does it take to get a detailed, binding estimate?

Typically it takes approximately ten to fifteen weeks (pending agreement on easement locations) to obtain a binding estimate. It may vary due to the size and complexity of the job, the facilities involved and other factors.

32. How does FPL ensure the binding estimates are consistent throughout the territory?

All estimates are actual "for construction" estimates good for a period of 180 days where all material and labor are included in the estimating system. This is the same system used for construction estimates for all FPL work system wide. In addition, the estimate for underground conversions specifies exactly how the charges are to be calculated. [See Florida Administrative Code 2 Tariff sheets 6.300 - 6.330, specifically.]

33. Are any credits available for existing facilities that can be salvaged and will they be factored into my estimate?

Some salvage credits may be available. Salvage value is only given for equipment that can be removed from the field after testing or refurbishing required before re-use (an example would be concrete poles). Typically credits for facilities that installed in another area are not significant. [See FPL Electric Tariff sheet 6.300].

34. Just for comparison, and using a sample subdivision, can you give me a rough idea of the difference in cost to service versus underground service in new construction?

Depending on the density of a new development and exclusive of other facility needs, it costs FPL between \$1,066 and \$1,533 for standard overhead service. Underground on the other hand, costs between \$1,153 and \$1,943 per lot. Thus, the builder/underground service pays per lot on average about \$87 to \$563 in differential cost.

In addition, if main feeder lines are required to serve the subdivision, and the developer requests those be placed underground, there is a differential charge of \$15.37 per foot of main line and \$21,837.67 per pad mounted switch cabinet installed. In a typical subdivision, there is about 100 feet of main feeder work and about two switch cabinets and related equipment, this could add an additional \$50,000 to the project differential cost.

35. How many miles of community power lines (distribution) does FPL have in its system?

FPL has approximately 65,000 miles of distribution lines serving its 4.2 million customers in all or parts of 35 counties (6,500 miles of transmission.)

More than one-third of FPL's system - or in excess of 24,000 miles - is underground. Often it's as a result of municipal requirements, the costs of which are borne by builders and developers and ultimately by customers in the price they pay. It is important to remember that lines eventually come above ground, so no system is totally underground.

36. Why don't you put transmission lines underground?

FPL transmission lines - that is, those large power lines that move power over long distances like an interstate highway or through rural neighborhoods - are rarely ever placed underground due to their complexity and considerably higher costs, as well as other considerations. The cost of placing these lines underground can be five to fifteen times more costly than an overhead line.

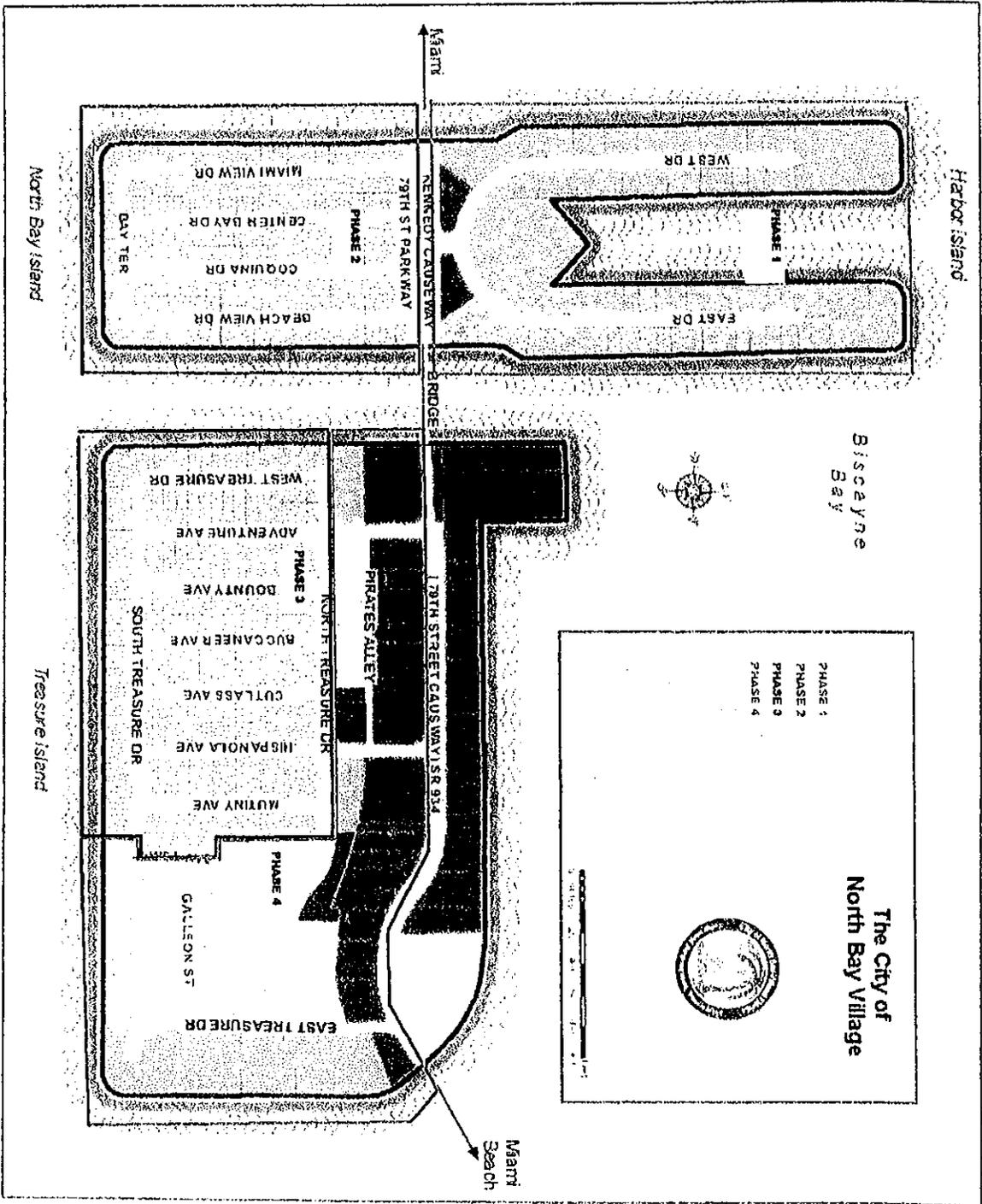
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**City of
North Bay Village**

Undergrounding Workshop

**ESTIMATED COST
CALCULATIONS**



HARBOR ISLAND PHASE ONE(1) UNDERGROUND COSTS

16	CITY OF NORTH BAY VILL	7903 EAST DR
45	ROYAL ISLAND APARTMENTS	7905 EAST DR
30	HARBOR CONDO	7909-11 EAST DR
41	BAYVIEW 41 APTS (VAC)	7915 EAST DR
20	LIDO CONDO	7921 EAST DR
24	VAC	7923-25 EAST DR
20	CONTINRNTAL APTS	7527-29 EAST DR
24	ISLAND TER APART	7931 EAST DR
36	CIELO	7935 EAST DR
15	ADAGO	7939 EAST DR
4	NASH-TESSLER	7941 EAST DR
22	BAYS WATER CONDO	7945 EAST DR
51	BISCAYNE SEA CLUB	8000-10-20 EAST DR
34	MAJESTIC ISLE CONDO	7946 EAST DR
120	ELEQUENCE	7930-42 EAST DR
8	WHITE HOUSE APTS	7926 EAST DR
19	BAYS END APTS	7924 EAST DR
8	VAC	7922 EAST DR
24	BELLE ISLE CONDO	7920 EAST DR
514	360	7900 HARBOR DR
30	AMERICAN EXECUTIVE LLC	7917 WEST DR
8	VALERIE APTS	7921 WEST DR
24	DELEGATE APTS	7925 WEST DR
35	BLUE BAY	7927 WEST DR
40	MAGULF TOWERS	7933 WEST DR
8	STELLAR APTS	7935 WEST DR
6	DAVIS APTS	7937 WEST DR
12	CHATEAU ISLE	7941-45 WEST DR
160	VAC	8000 WEST DR
24	VAC	7938 WEST DR
10	VAC	7940 WEST DR
65	SPACE 1	7934 WEST DR
88	ISLANDER CLUB	7928 WEST DR
20	West Dr Park	7920 WEST DR
19	VAC	7912-14-16 WEST DR
44	HARBOR WEST	7910 WEST DR
169	BAYSHORE YACHT & TENNIS	7904 WEST DR
1837	TOTAL MULTI-FAMILY	

CMM'L UNITS

16	JUMBO BUFFET	1335 79 ST CSWY
16	SHELL	1345 79 ST CSWY

32 TOTAL CMM'L

1069 TOTAL UNITS

UNDERGROUND COSTS

FPL	864,000
ATT	54,000
ATL BB	55,000
	<u>973,000</u>
	520.60

NORTH BAY ISLAND PHASE TWO (2) UNDERGROUND COSTS

~~164~~ SINGLE FAMILY LOTS

UTILITY COSTS

FPL	609,000
ATT	1,261,000
ATL BB	78,000
	1,948,000

HOMEOWNER UPGRADE COSTS

2,400 X 164 393,600

AVERAGE COST PER

\$14,278.05

TREASURE ISLAND PHASE THREE (3) UNDERGROUND COSTS

~~248~~ SINGLE FAMILY LOTS

UTILITY COSTS

FPL	1,317,266
ATT	1,542,000
ATL BB	153,000
	3,012,266

HOMEOWNER UPGRADE COSTS

2,400 X 248 595,200

AVERAGE COST PER

\$14,546.24

TREASURE ISLAND PHASE FOUR (4) UNDERGROUND COSTS

9	TREASURE BAY APARTMENTS	1750 S TREASURE
12	BAY VILLAGE CONDO	1790 S TREASURE
10	BISCAYNE BAY APTS	1800 S TREASURE
22	CASA DEL RAY	1820 S TREASURE
20	BAY POINT APTS	1830 S TREASURE
10	NO NAME	1840 S TREASURE
6	VAC	1850 S TREASURE
50	TREASURE BAY CLUB CONDO	1880 S TREASURE
187	THE POINT	1900 S TREASURE
16	TWNHOUSES	1800 BLK GALLEON/E/S TREAS
147	EL MADRID	1801 S TREASURE
8	ALLISSA APTS	1801-15 GALLEON ST
172	TREASURES ON THE BAY	7501 E TREASURE DR
160	TREASURES ON THE BAY	7525 E TREASURE DR
103	CARIBBEAN TOWERS	7545 E TREASURE DR
514	NORTH BAY LANDING	7601 E TREASURE DR
164	LEXIE	7901 HISPANOLA AVE
16	TREASURE KEY	7801-19 HISPANOLA AVE
24	TREASURE COVE	1619-45 N TREASURE
130	ISLAND PLACE	1455 N TREASURE
4	MARTIN APTS	1657 N TREASURE
65	BREEZE	1555 N TREASURE DR
1848	TOTAL MULTI-FAMILY	
		CMM'L UNITS
19	1872-86 79 ST CSWY	STORES HAPPY'S ETC.
39	1850 79 ST CSWY	GRANDVIEW PARKING
36	1666 79 ST CSWY	CAUSEWAY TOWER
36	1600-1630 79 ST CSWY	FOOD GIANT EDEY'S PHARM.
10	1580 79 ST CSWY	GOL TV
29	1530 79 ST CSWY	BUDGET STORAGE
10	1524 79 ST CSWY	SIAM REST.
4	1500 79 ST CSWY	VAC LOT R/O SIAM REST.
21	1508 79 ST CSWY	HESS GAS
65	1440 79 ST CSWY	GROVE BY THE BAY
17	7800 HISPANOLA	TEMPLE
65	1735 N TREASURE	TI NURSING HOME
354	TOTAL CMM'L	
2200	TOTAL UNITS	

UNDERGROUND COSTS

FPL	982,734
ATT	832,000
ATL BB	153,000
	1,967,734
 COST PER	 \$894.42



**City of
North Bay Village**

Undergrounding Workshop

**PROJECT FINANCING
ESTIMATES**

CITY OF NORTH BAY VILLAGE, FLORIDA

4/29/2009

ISLAND	HARBOR ISLAND	NORTH BAY ISLAND	TREASURE ISLAND SINGLE FAM LOTS	TREASURE ISLAND EASTERN
UNDERGROUND UTILITY COSTS IMPACT SUMMARY				
FPL	\$ 864,000	\$ 609,000	\$ 1,317,266	\$ 982,734
AT&T	54,000	1,261,000	1,542,000	832,000
ATLANTIC BROAD BAND	55,000	78,000	153,000	153,000
HOMEOWNER UPGRADE	-	393,600	595,200	-
TOTAL ESTIMATED COST	\$ 973,000	\$ 2,341,600	\$ 3,607,466	\$ 1,967,734
# UNITS	1,893	164	248	2,155
COST/UNIT	\$ 514	\$ 14,278	\$ 14,546	\$ 913
FINANCING IMPACT				
AVG ANNUAL DEBT SERVICE	\$ 113,840	\$ 284,600	\$ 426,900	\$ 239,064
# UNITS	1,893	164	248	2,155
EST. ANNUAL COST/UNIT	\$ 60	\$ 1,735	\$ 1,721	\$ 111

NOTES
1. Homeowner upgrades estimated at \$2,400 per unit
2. Cost of restoration not included in calculations
3. Financing - avg. coupon 6.5% with 15 year amortization

CITY OF NORTH BAY VILLAGE, FLORIDA

4/29/2009

ISLAND	TOTAL COSTS
UNDERGROUND UTILITY COSTS IMPACT SUMMARY	
FPL	\$ 3,773,000
AT&T	\$ 3,689,000
ATLANTIC BROAD BAND	\$ 439,000
HOMEOWNER UPGRADE	\$ 988,800
TOTAL ESTIMATED COST	\$ 8,889,800
# UNITS	\$ 4,460
COST/UNIT	\$ 1,993
FINANCING IMPACT	
AVG ANNUAL DEBT SERVICE	\$ 1,064,404
# UNITS	4,460
EST. ANNUAL COST/UNIT	\$ 239

NOTES
1. Homeowner upgrades estimated at \$2,400 per unit
2. Cost of restoration not included in calculations
3. Financing - avg. coupon 6.5% with 15 year amortization



**City of
North Bay Village**

Undergrounding Workshop

SEQUENCE OF EVENTS

Overhead to Underground Conversion

Sequence of Events

- Applicant provides written request to FPL
- FPL provides non-binding ballpark estimate
- Applicant secures easements and pays engineering deposit
- FPL performs detailed engineering and determines binding cost
- Engineering deposit applied to total cost if project proceeds
- Applicant signs all applicable FPL Agreements
- Applicant signs conversion Agreements with other utilities
- Applicant pays required contribution
- Applicant and FPL agree on location of facilities
- Customer services must be converted from OH to UG
- Applicant is responsible for all restoration



FPL



**City of
North Bay Village**

Undergrounding Workshop

FPL AGREEMENT

**INSTALLATION OF UNDERGROUND ELECTRIC DISTRIBUTION FACILITIES
 FOR THE CONVERSION OF OVERHEAD ELECTRIC DISTRIBUTION FACILITIES**

SECTION 12.1 DEFINITIONS

APPLICANT - Any person, corporation, or entity capable of complying with the requirements of this tariff that has made a written request for underground electric distribution facilities in accordance with this tariff

CONVERSION - Any installation of underground electric distribution facilities where the underground facilities will be substituted for existing overhead electric distribution facilities, including relocations.

CONTRIBUTION-IN-AID-OF-CONSTRUCTION (CIAC) - The CIAC to be paid by an Applicant under this tariff section shall be the result of the following formula:

CIAC =

- 1) The estimated cost to install the requested underground facilities;
- + 2) The estimated cost to remove the existing overhead facilities;
- + 3) The net book value of the existing overhead facilities;
- 4) The estimated cost that would be incurred to install new overhead facilities, in lieu of underground, to replace the existing overhead facilities (the "Hypothetical Overhead Facilities");
- 5) The estimated salvage value of the existing overhead facilities to be removed;
- + 6) \$11,300 per pole-line mile of the existing overhead facilities - the 30-year net present value of the estimated underground v. overhead operational costs differential;
- 7) The 30-year net present value of the estimated average Avoided Storm Restoration Costs ("ASRC") calculated as a percentage of the sum of lines 1) through 6) Simplified eligibility criteria for each ASRC Tier are summarized below. Applicants must enter into an Underground Facilities Conversion Agreement with the Company which provides full details on terms, conditions and compliance requirements.

Tier	Percentage	Pole-Line Miles	Customer Conversions	Completion
1 *	25%	3 or more	100%	3 phases
2	10%	1 to <3	100%	3 phases
3	5%	< 1	n/a	n/a

* The GAF Waiver will apply in lieu of Tier 1 ASRC for eligible conversions by Local Government Applicants

GAF Waiver

For Applicants entering into an Underground Facilities Conversion Agreement -- Governmental Adjustment Factor Waiver with the Company, the otherwise applicable CIAC amount, as calculated above, shall be reduced by the GAF Waiver. The amount of the GAF Waiver shall be calculated as follows:

GAF Waiver =

- 25% x the otherwise applicable CIAC;
- + 75% x the ASRC (avoids double-counting the ASRC embedded in the otherwise applicable CIAC)

If the Applicant elects to construct and install all or part of the underground facilities, then for purposes of calculating the ASRC or the GAF Waiver amount only, the otherwise applicable CIAC shall be adjusted to add FPL's estimated cost for the Applicant-performed work.

DISTRIBUTION SYSTEM - Electric service facilities consisting of primary and secondary conductors, service drops, service laterals, conduits, transformers and necessary accessories and appurtenances for the furnishing of electric power at utilization voltage.

SERVICE FACILITIES - The entire length of conductors between the distribution source, including any conduit and or risers at a pole or other structure or from transformers, from which only one point of service will result, and the first point of connection to the service entrance conductors at a weatherhead, in a terminal, or meter box outside the building wall; the terminal or meter box; and the meter.

(Continued on Sheet No. 6.301)

(Continued from Sheet No. 6.300)

SECTION 12.2 GENERAL

12.2.1 Application

This tariff section applies to all requests for underground electric distribution facilities where the facilities requested will be substituted for existing overhead electric distribution facilities. Any person, corporation, or entity capable of complying with the requirements of this tariff may submit a request as follows. Requests shall be in writing and must specify in detail the overhead electric distribution facilities to be converted or the area to be served by underground electric distribution facilities in lieu of presently existing overhead electric distribution facilities serving said area. Upon receipt of a written request, FPL will determine the feasibility of converting the existing facilities, any necessary revisions to this written request, and the non-refundable deposit amount necessary to secure a binding cost estimate and notify the applicant of said amount.

12.2.2 Contribution-in-Aid-Of-Construction (CIAC)

Upon the payment of a non-refundable deposit by an Applicant, FPL shall prepare a binding cost estimate specifying the contribution in aid of construction (CIAC) required for the installation of the requested underground distribution facilities, where the installation of such facilities is feasible, and provide said estimate to the Applicant upon completion of the estimate along with either an Underground Facilities Conversion Agreement or an Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver. The CIAC amount to be collected pursuant to a binding cost estimate from an Applicant shall not be increased by more than 10 percent of the binding cost estimate to account for actual costs incurred in excess of the binding cost estimate. However, the CIAC may be subject to increase or refund if the project scope is enlarged or reduced at the request of the Applicant, or the CIAC is found to have a material error prior to the commencement of construction. The binding cost estimate provided to an Applicant shall be considered expired if the Applicant does not enter into either an Underground Facilities Conversion Agreement or an Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver and pay the CIAC amount specified for the installation of the requested underground electric distribution facilities within 180 days of delivery of the binding cost estimate to the Applicant by FPL.

(Continued on Sheet No. 6.310)

(Continued from Sheet No 6.301)

12.2.3 Non-Refundable Deposits

The non-refundable deposit for a binding cost estimate for conversion to a direct buried cable in conduit underground electric distribution system shall be determined by multiplying the number of pole line feet of existing overhead electric distribution facilities to be converted by \$1.20. The deposit must be paid to FPL to initiate the estimating process. The deposit will not be refundable, however, it will be applied in the calculation of the CIAC required for the installation of underground distribution facilities. The deposit and the preparation of a binding cost estimate are a prerequisite to the execution of either an Underground Facilities Conversion Agreement or an Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver. If the request for underground electric distribution facilities involves the conversion of less than 250 pole line feet of existing overhead facilities, then no deposit will be required for a binding cost estimate, provided, however, that all other requirements of this tariff shall still apply.

12.2.4 Non-Binding Cost Estimates

Any person, corporation, or entity may request a non-binding cost estimate free of charge. The non-binding cost estimate shall be an order of magnitude estimate to assist the requestor in determining whether to go forward with a binding cost estimate. Neither an Underground Facilities Conversion Agreement nor an Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver may be executed on the basis of a non-binding cost estimate.

12.2.5 Underground Facilities Conversion Agreement

Any Applicant seeking the installation of underground distribution facilities pursuant to a written request hereunder shall execute either the Underground Facilities Conversion Agreement set forth in this tariff at Sheet No. 9.720 or, if applicable, the Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver set forth in this tariff at Sheet No. 9.725. The applicable Agreement must be executed and the CIAC paid by the Applicant within 180 days of the delivery of the binding cost estimate to the Applicant. Failure to execute the applicable Agreement and pay the CIAC specified in the Agreement within the 180 day time limit, or termination of the Agreement, shall result in the expiration of the binding cost estimate. Any subsequent request for underground facilities will require the payment of a new deposit and the presentation of a new binding cost estimate. For good cause FPL may extend the 180 day time limit. Upon execution of either the Underground Facilities Conversion Agreement or the Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver, payment in full of the CIAC specified in the binding cost estimate, and compliance with the requirements of this tariff, FPL shall proceed to convert the facilities identified in a timely manner. However, new service extensions, maintenance and reliability projects, and service restorations shall take precedence over facilities conversions.

12.2.6 Simultaneous Conversion of Other Pole Licensees

Before the initiation of any project to provide underground electric distribution facilities pursuant to either an Underground Facilities Conversion Agreement or an the Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver the Applicant shall have executed agreements with all affected pole licensees (e.g. telephone, cable TV, etc.) for the simultaneous conversion of those pole licensees' facilities and provide FPL with an executed copy of the Agreement(s). Such agreements shall specifically acknowledge that the affected pole licensees will coordinate their conversion with FPL and other licensees in a timely manner so as to not create unnecessary delays. Failure to present FPL with executed copies of any necessary agreements with affected pole licensees within 180 days after delivery of the binding cost estimate to the Applicant shall result in the expiration of the binding cost estimate, the return of any CIAC paid, and the termination of any Underground Facilities Conversion Agreement or Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver entered into between the Applicant and FPL.

12.2.7 Easements

Before the initiation of any project to provide underground electric distribution facilities pursuant to either an Underground Facilities Conversion Agreement or an Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver, the Applicant shall provide FPL, at no cost to FPL, all easements, including legal descriptions of such easements and all survey work associated with producing legal descriptions of such easements, specified as necessary by FPL to accommodate the requested underground facilities along with an opinion of title that the easements are valid. Failure to provide the easements in the manner set forth above within 180 days after the delivery of the binding cost estimate to the Applicant shall result in the expiration of the binding cost estimate, the return of any CIAC paid, and the termination of any Underground Facilities Conversion Agreement or Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver entered into between the Applicant and FPL.

(Continued on Sheet No 6.320)

(Continued from Sheet No 6 310)

12.2.8 Affected Customer Services

The Applicant shall be responsible for the costs associated with any modifications to the service facilities of customers affected by the conversion of FPL distribution facilities which are made necessary as a result of the conversion. The Applicant shall be responsible for arranging the conversion of affected residential overhead customer service facilities by providing, at no cost to FPL:

- a) any necessary rearranging of the customer's existing electric service entrance facilities to accommodate an underground service lateral through the use of a licensed electrical contractor, in accordance with all local ordinances, codes, and FPL specifications; and
- b) a suitable trench, install FPL provided conduit according to FPL specifications to a point designated by FPL, and perform the backfilling and any landscape, pavement or other similar repairs

FPL shall be responsible for the installation of the service lateral cable, the cost of which shall be included in the Applicant's binding cost estimate. In the event a customer does not allow the Applicant to convert the customer's affected overhead services, or the Applicant fails to comply with the above requirements in a timely manner consistent with FPL's conversion construction schedule, then the Applicant shall pay FPL, in addition to the CIAC specified in the binding cost estimate, the costs associated with maintaining service to said customer through an overhead service drop. The cost for maintaining an overhead service drop from an underground system shall be:

- a) the sum of \$789 for residential dwellings containing less than five individual units; or,
- b) the estimated cost to maintain service for residential dwellings containing five or more individual units

For existing residential underground service laterals affected by a conversion the Applicant shall be responsible for the trenching, backfilling and any landscape, pavement or other similar repairs and installation of FPL provided conduit, according to FPL specifications, necessary to bring existing underground service laterals of affected customers to an FPL designated handhole or transformer. FPL will install the necessary cable, the cost of which shall be included in the binding cost estimate. However, in the event that a customer owned service lateral fails on connection to the underground distribution system the customer will be responsible for the replacement of their service lateral or compliance with section 10.5 of FPL's tariff.

The Applicant's responsibilities for modifications to the service facilities of non-residential customers affected by the conversion of FPL distribution facilities which are made necessary as a result of the conversion will be specified in an attachment to any Underground Facilities Conversion Agreement or Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver.

12.2.9 Other Terms and Conditions

Through the execution of either the Underground Facilities Conversion Agreement set forth in this tariff at Sheet No. 9.720 or the Underground Facilities Conversion Agreement - Governmental Adjustment Factor Waiver set forth in this tariff at Sheet No. 9.725 the Applicant agrees to the following:

- a) The Applicant shall be responsible for all restoration of, repair of, or compensation for, property affected, damaged, or destroyed, to accommodate the installation of underground distribution facilities and the removal of FPL's overhead distribution facilities;
- b) subject to section 2.7 Indemnity to Company, or section 2.71 Indemnity to Company - Governmental, FPL's General Rules and Regulations, the Applicant shall indemnify FPL from any claim, suit, or other proceeding, which seeks the restoration of, or repair of, or compensation for, property affected, damaged, or destroyed, to remove existing facilities or to accommodate the installation of underground distribution facilities arising from or brought as a result of the installation of underground distribution facilities;
- c) the Applicant shall clear easements provided to FPL of trees, tree stumps and other obstructions that conflict with construction or installation of underground distribution facilities in a timely manner consistent with FPL's construction schedule

(Continued on Sheet No. 6 330)

(Continued from Sheet No. 9.726)

- 9. **Termination Prior to the Conversion Completion.** Failure by the Local Government Applicant to comply with any of the requirements, terms, or conditions of this Agreement or FPL's Electric Tariff shall result in termination of this Agreement. The Local Government Applicant may terminate this Agreement at any time prior to the start of the Conversion and the CIAC paid by the Local Government Applicant will be refunded to the Local Government Applicant; provided however, that the refund of the CIAC shall be offset by any costs incurred by FPL in performing under the Agreement up to the date of termination.
- 10. **Assignment.** The Local Government Applicant shall not assign this Agreement without the written consent of FPL.
- 11. **Adoption and Recording.** This Agreement shall be adopted by the Local Government Applicant and maintained in the official records of the Local Government Applicant for the duration of the term of this Agreement. This Agreement also shall be recorded in the Official Records of the County in which the Underground Facilities are located, in the place and in the manner in which deeds are typically recorded.
- 12. **Conflict between Terms of Franchise Agreement.** In the event of a conflict between the terms of this Agreement and any permit or franchise agreement entered into by Local Government Applicant and FPL, the terms of this Agreement shall control.

IN WITNESS WHEREOF, FPL and the Local Government Applicant have executed this Agreement on the date first set forth above.

LOCAL GOVERNMENT APPLICANT

FPL

Signed _____

Signed _____

Name _____

Name _____

Title _____

Title _____

Signed _____

Name _____

Title _____

Approved as to Terms and Conditions

Signed _____

Name _____

Title _____

Approved as to Form and Legal Sufficiency

Signed _____

Name _____

Title _____

(Continued from Sheet No. 9.725)

iv. When the aggregate size of the first 3 phases of a project would satisfy the minimum size criteria but, for mutually-agreed engineering or logistical reasons, those phases are non-contiguous; provided that (a) the next (4th) phase must be adjacent to one or more of the first 3 phases such that the combined contiguous area meets the minimum size criteria, and (b) this 4th phase begins within 1 year from completion of the 3rd phase.

2. **Contribution-in-Aid-of-Construction (CIAC).** The Local Government Applicant shall pay FPL a CIAC as required by FPL's Electric Tariff and Section 25-6.115 of the Florida Administrative Code with the Otherwise Applicable CIAC amount reduced by the GAF Waiver.
- i. Otherwise Applicable CIAC \$ _____
 - ii. GAF Waiver \$ _____
 - iii. CIAC Due \$ _____

In the event the actual cost of the Conversion exceeds the estimate, the Otherwise Applicable CIAC shall be adjusted by the lesser of (a) the difference between the actual cost of the Conversion and the estimate, or (b) 10% of the Otherwise Applicable CIAC identified above. The GAF Waiver shall also be adjusted accordingly and the Local Government Applicant shall pay FPL the resulting difference in the amount of the CIAC Due.

- 3. **Applicant-Installed Facilities.** The Local Government Applicant may, upon entering into an applicant-installed facilities agreement satisfactory to FPL, construct and install all or a portion of the Underground Facilities. Such work must meet FPL's construction standards and FPL will own and maintain the completed facilities. The Local Government Applicant agrees to rectify any deficiencies, found by FPL, prior to the connection of any customers to the Underground Facilities and the removal of the Existing Overhead Facilities.
- 4. **Compliance with Tariff.** The Local Government Applicant agrees to comply with and abide by the requirements, terms, and conditions of FPL's Electric Tariff.
- 5. **Timing of Conversion.** Upon compliance by the Local Government Applicant with the requirements, terms, and conditions of FPL's Electric Tariff, this Agreement and any other applicable agreements, FPL will proceed in a timely manner with the Conversion in accordance with the construction drawings and specifications set forth in Attachment A hereof.
- 6. **Relocation.** In the event that the Underground Facilities are part of, or are for the purposes of, relocation, then this Agreement shall be an addendum to the relocation agreement between FPL and the Local Government Applicant. In the event of any conflict between the relocation agreement and this Agreement or the Electric Tariff, this Agreement and the Electric Tariff shall control.
- 7. **Term.** This Agreement shall remain in effect for as long as FPL or any successor or assign owns or operates the Underground Facilities.
- 8. **GAF Waiver Repayment.** If the Local Government Applicant does not satisfy the relevant eligibility criteria, the Local Government Applicant shall repay the GAF Waiver within 30 days of written notice from FPL of such failure. Additionally, if at any point within 30 years of completion of the Underground Facilities installation, the Local Government Applicant elects to have electric service within the Conversion Area supplied by a provider other than FPL, the Local Government Applicant shall repay FPL a pro-rata share of the GAF Waiver. The pro-rata share (which shall reflect partial years) shall be determined as follows:

$$\text{GAF Waiver} * [(30 - \text{years since the Underground Facilities completion date}) / 30]$$

(Continued on Sheet No. 9.727)

**UNDERGROUND FACILITIES CONVERSION AGREEMENT –
 GOVERNMENTAL ADJUSTMENT FACTOR WAIVER**

This Agreement, which is available to customers that sign the Agreement on or before October 30, 2009, is made and entered into this _____ day of _____, 20____, by and between _____ (“Local Government Applicant”), a Florida municipal corporation or county with an address of _____ and FLORIDA POWER & LIGHT COMPANY (“FPL”), a Florida corporation with an address of P.O. Box 14000, 700 Universe Boulevard, Juno Beach, FL 33408-0429.

WHEREAS, the Local Government Applicant has requested that FPL convert certain overhead electric distribution facilities located within the following boundaries (the “Conversion”):

(collectively, the “Existing Overhead Facilities”) to underground facilities, including transformers, switch cabinets and other appurtenant facilities installed above ground as set forth in Attachment A hereof (collectively, the “Underground Facilities”).

NOW THEREFORE, in consideration of the foregoing premises and the covenants and agreements set forth herein, and other consideration the sufficiency of which is hereby acknowledged, the parties intending to be legally bound, hereby covenant and agree as follows:

1. **Governmental Adjustment Factor Waiver (“GAF Waiver”) Eligibility Criteria.** The Local Government Applicant represents and warrants that it meets the following eligibility criteria for the Conversion:
 - a. In order for the Conversion to incorporate a sufficient amount of overhead facilities to provide electrical continuity, the Conversion must include a minimum of approximately 3 pole line miles or approximately 200 detached dwelling units within contiguous or closely proximate geographic areas (the “Conversion Area”). The Conversion may be completed in mutually agreed upon phases, with the project size minimums applying to the aggregate project – provided that any necessary subsequent phase begins within a 1 year period from completion of the prior phase and the minimums are met within, at most, 3 phases; and
 - b. The Local Government Applicant must require all customers within the Conversion Area who currently have overhead service directly from the Existing Overhead Facilities to convert their service entrances to underground within 6 months of completion of the Underground Facilities installation or each phase thereof; and
 - c. The Local Government Applicant must be willing and able to execute a right of way (“ROW”) agreement with FPL if the Local Government Applicant requests that facilities be placed in the ROW; and
 - d. For any affected laterals, the complete lateral must be converted, including all stages of any multi-stage lateral; and
 - e. There are no state or federal funds available to the Local Government Applicant to cover any portion of the cost of the Conversion.
- Special Circumstances. Conversions which do not meet the project size minimums described in section 1.a are eligible for the GAF Waiver in the following special circumstances:
- i. 100% of the Existing Overhead Facilities within the Local Government Applicant’s corporate limits are to be converted, but are less than the pole line mileage or dwelling unit minimums; or
 - ii. A single lateral that serves at least one Critical Infrastructure Facility as determined by the appropriate local agency with the mutual agreement of FPL; or
 - iii. An island or peninsula where 100% of the Existing Overhead Facilities are to be converted; or

(Continued on Sheet No. 9.726)



**City of
North Bay Village**

Undergrounding Workshop

**AUTHORIZATION
BONDS FOR BURYING
UTILITY LINES IN CITY**

RESOLUTION NO. 2006-54

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, ADOPTING THE MIAMI-DADE COUNTY CANVASSING BOARD'S CERTIFICATION OF THE RESULTS OF THE CITY OF NORTH BAY VILLAGE SPECIAL ELECTION OF SEPTEMBER 5, 2006 AND DECLARING THE RESULTS THEREOF; SETTING AN EFFECTIVE DATE. (INTRODUCED BY VICE MAYOR GEORGE A. KANE)

WHEREAS, by City of North Bay Village Resolutions Nos. 2006-33 and 2006-34, Miami-Dade County Election Officials were authorized to conduct a Special Election of the City of North Bay Village on September 5, 2006; and

WHEREAS, on September 5, 2006, Miami-Dade County Elections Department conducted the City of North Bay Village Special Election; and

WHEREAS, the Certifications of the results of the City of North Bay Village Special Election as submitted by Miami-Dade County Canvassing Board, said certifications dated September 12, 2006 and are made a part of this Resolution; and

WHEREAS, said Certifications reflect the results of the ballot questions as set forth below.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, that said Certifications be and the same are hereby adopted, which reflect the following results upon the following questions:

**Proposition I
Sewer Force Main Replacement**

Shall the City undertake a capital improvement project to replace its Biscayne Bay sewer force main, through a low cost loan from the State of Florida Department of Environmental Protection Agency (DEP), such project cost not to exceed a cost of \$9.1 million?

YES 304 votes

NO 134 votes

Proposition II
**Bonds for Landscaping and Aesthetic Improvements to John F. Kennedy Causeway
in North Bay Village**

Shall the City undertake a capital improvement project for landscaping and for making other aesthetic improvements to the John F. Kennedy Causeway in North Bay Village, financed by issuing a maximum of \$2,000,000 in general obligation bonds, such bonds bearing interest not exceeding maximum legal rate, maturing within 30 years, and being payable from *ad valorem* taxes levied on all taxable property in the City?

For Bonds Received	176 votes
Against Bonds	<u>256 votes</u>

Proposition III

**Bonds for Land Acquisition and Capital Improvements for Parks,
Recreational and Community Center Purposes**

Shall the City acquire land and make capital improvements for parks, recreation and community center, and administrative purposes financed by issuing a maximum \$9,400,000 in general obligation bonds, such bonds bearing interest not exceeding maximum legal rate, maturing within 30 years, and being payable from *ad valorem* taxes levied on all taxable property in the City?

For Bonds received	179 votes
Against Bonds	<u>256 votes</u>

Proposition IV

**Bonds for Land Acquisition and Capital Improvements for Police and
Fire Rescue Purposes**

Shall the City acquire land and other real property interests and make capital improvements for police and fire rescue purposes financed by issuing a maximum \$6,000,000 in general obligation bonds, such bonds bearing interest not exceeding maximum legal rate, maturing within 30 years, and being payable from *ad valorem* taxes levied on all taxable property in the City?

For Bonds received	190 votes
--------------------	-----------

Against Bonds

245 votes

Proposition V

Bonds for Burying Utility Lines Throughout the City

Shall the City undertake a capital improvement project to bury utility lines throughout the City, financed by issuing a maximum of \$9,100,000 in general obligation bonds, such bonds bearing interest not exceeding maximum legal rate, maturing within 30 years, and being payable from *ad valorem* taxes levied on all taxable property in the City, with the understanding that the residents also may be responsible for paying for their own electrical upgrades and hookup?

For Bonds 232 votes

Against Bonds 201 votes

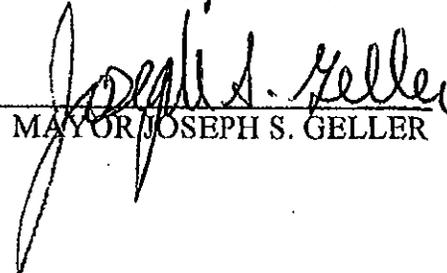
Section 1. Effective Date. That this Resolution shall take effect immediately upon approval.

The motion to adopt the foregoing Resolution was offered by Vice Mayor George A. Kane, seconded by Commissioner Tzvi Bogomilsky.

FINAL VOTE AT ADOPTION:

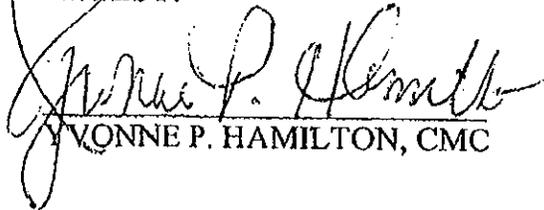
Mayor Joseph S. Geller	<u>Yes</u>
Vice Mayor George A. Kane	<u>Yes</u>
Commissioner Oscar Alfonso	<u>Yes</u>
Commissioner Tzvi Bogomilsky	<u>Yes</u>
Commissioner Paul Vogel	<u>Absent from dais</u>

PASSED and ADOPTED this 12th day of September, 2006.



 MAYOR JOSEPH S. GELLER

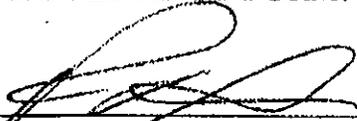
ATTEST:



 YVONNE P. HAMILTON, CMC

City Clerk

APPROVED AS TO FORM:



ROBERT L. SWITKES
City Attorney

City of North Bay Village Resolution: Results of September 5, 2006 Special Election-9-12-2006
Resolution No. 2006-53

Denise Fecht

From: Sam Zamacona
Sent: Thursday, January 12, 2012 4:56 PM
To: Yvonne Hamilton (yvonne.hamilton@nbvillage.com); Denise Fecht (denese.fecht@nbvillage.com)
Subject: FW: HELP

Please see request for information below.

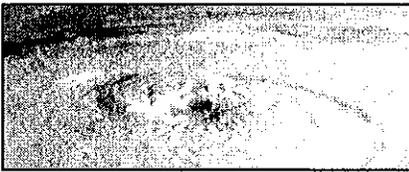
Sam Zamacona Jr. E.I.
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City of North Bay Village
1700 Kennedy Causeway Suite 132
North Bay Village FL 33141
O: 305-756-7171
F: 305-756-7722
C: 786-897-9441
www.nbvillage.com

-----Original Message-----

From: Benjia/Bunny [mailto:benjiamo@the-beach.net]
Sent: Wednesday, January 11, 2012 9:53 AM
To: iwant2emaildoris@yahoo.com
Cc: Sam Zamacona
Subject: HELP

Morning Sam-

We are once again preparing for our fundraising Optimist Garden Tour on March 31 and would ask you to get us names and contacts for companies that have continued to work for The City. Last year only Groundskeepers and our Legal team contributed.
ie: VILA...contact..not Miquel..his DAD..
Valley Crest contact
anyothers...??? Thanxs. benjia

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