



OFFICE OF
COMMUNITY DEVELOPMENT

CITY OF RIVIERA BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT
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August 25, 2009

Ms. Cindy Mulkey
Engineering Specialist
Department of Environmental Protection
Siting Coordination Office
Mail Station 48
3099 Commonwealth Boulevard
Tallahassee, FL 32399

Re: Riviera Beach Energy Center Agency Report

Dear Ms. Mulkey:

Please allow this letter to serve as the Agency Report for the City of Riviera Beach. The Agency Report is submitted on the City's behalf pursuant to the Florida Electrical Power Plant Siting Act (Sections 403.501- 403.539, Florida Statutes). The City has reviewed the Site Certification Application for the Riviera Beach Energy Center (RBEC) and provides the following assessment.

1. The 39 acres of land within the city limits currently occupied by the existing Riviera Beach Power Plant and the future site of the RBEC has a Future Land Use designation of "Utilities" which allows for municipal water and sewer, electrical and communications uses. The use of the RBEC as an electricity producing power plant is consistent with this land use designation.
2. The location has a Zoning Designation of "U: Utilities District". This zoning category is intended to set aside an area restricted to the provision of utilities. This district is provided for large scale utility operations. The proposed RBEC is consistent with this zoning designation.
3. On October 1, 2008, the City Council of the City of Riviera Beach approved a preliminary site plan for the proposed RBEC with the following conditions:
 - a. The site plan and approved use shall be vested for development upon the receipt of a Final Order granting certification pursuant to the Florida Electric Power Plant Siting Act (PPSA). FPL shall record a copy of the Final Site Plan approved by the Siting Board in the public records of the City of Riviera Beach prior to commencement of development.

- b. FPL shall comply with the Florida Building Code for the construction of the administration portion of the administration/warehouse/control building.
- c. At least thirty (30) days prior to recording the Final Site Plan, FPL shall submit a construction coordination plan to the City to address issues such as fire coordination, demolition coordination, traffic coordination and inspections.
- d. The building permit and impact fees associated with the administrative portion of the administration/warehouse/control building shall be paid by FPL within thirty (30) days of recording the Final Site Plan.
- e. FPL shall complete the landscaping on the site plan within ninety (90) days of the commercial operation date of the Riviera Beach Clean Energy Center.
- f. All future advertising must state that the development is in the City of Riviera Beach. A fine of \$500 per day will be levied against the property owner for violation of this condition.

Conditions of Certification

The City of Riviera Beach is committed to enhancing beautification throughout the city. The Transportation Element of the Comprehensive Plan includes the following policy which will aid in improving the overall appearance of the city:

“Policy 1.5.8: By June 2004, the City shall require the burial of overhead utility lines for all new development as a means to ensure the health, safety, and welfare of the community and to enhance the visual aesthetics of the City.”

As a condition of certification, the City of Riviera Beach is strongly requesting that all electrical power lines that are being rebuilt along State Road 5/US 1 (Broadway Avenue) to re-feed the RBEC, be placed underground. On May 4, 2009, FPL (in a separate but related projected) was issued a permit from FDOT, as permit #09-H-496-0126-93020 to upgrade existing overhead electrical facilities, which includes electrical facilities on US 1. Because the projects are related, the City would like for the Comprehensive Plan to be followed as placing the electrical power lines underground would also provide a significant visual and economic improvement to one of the City’s major traffic corridors.

Ms. Cindy Mulkey, Engineering Specialist
Department of Environmental Protection
August 12, 2009
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Summary of Public Comments

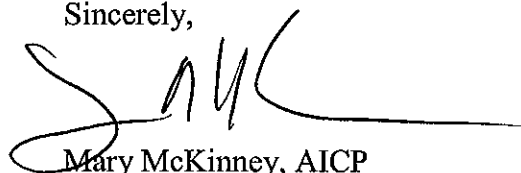
The City's Planning and Zoning Board held a public hearing on September 11, 2008, to review the site plan for the RBEC. The City Council reviewed the site plan on October 1, 2008. The public had the opportunity to comment at both meetings. Additionally, the City held an Informational Public Meeting on April 14, 2009, to provide the public with an update about the progress of the Riviera Beach Energy Center. Public comments generally centered on three main issues; 1) potential for increased electric bills; 2) safety and security; and 3) employment of local residents during construction.

Recommendation

Based on the City's review of the proposed RBEC, the conditions of approval included in the preliminary site plan approval, and the inclusion of the additional condition of certification being the burying of the electrical power lines along State Road 5/US Highway 1, the City would recommend approval of the Riviera Beach Energy Center.

Thank you in advance for reviewing the City's Agency Report. Please do not hesitate to contact me should you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. McKinney', with a long horizontal stroke extending to the right.

Mary McKinney, AICP
Director of Community Development
City of Riviera Beach

CC: Attached Certification List by email only
Ruth C. Jones, City Manager, City of Riviera Beach
Pamala H. Ryan, City Attorney, City of Riviera Beach

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