



## Legislation Details (With Text)

**File #:** 23-0577  
**Type:** Consent  
**Status:** Agenda Ready  
**In control:** Board of County Commissioners  
**On agenda:** 3/21/2023  
**Final action:**  
**Title:** FLORIDA GAS TRANSMISSION COMPANY ENCROACHMENT AGREEMENT  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Martin County\_22-206.pdf

| Date | Ver. | Action By | Action | Result |
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**PLACEMENT:** Consent

**TITLE:**

**FLORIDA GAS TRANSMISSION COMPANY ENCROACHMENT AGREEMENT**

### EXECUTIVE SUMMARY:

As part of the Western Corridor Water and Sewer Main Extension Project, Martin County Utilities is proposing to install an eight-inch force main under three natural gas pipelines located in an existing Florida Gas Transmission Company easement. An Encroachment Agreement with the Florida Gas Transmission Company is required to be executed prior to installation of the eight-inch force main. The Encroachment Agreement provides written consent from the Florida Gas Transmission Company to install, construct, maintain, use, operate, repair, replace, and enjoy the force main upon a portion of the Easement Area.

**DEPARTMENT:** Utilities and Solid Waste

**PREPARED BY:** **Name:** Jeremy Covey, P.E.  
**Title:** Technical Services Administrator

**REQUESTED BY:** Samuel Amerson, P.E., Utilities & Solid Waste Director

**PRESET:**

**PROCEDURES:** None

### **BACKGROUND/RELATED STRATEGIC GOAL:**

1. Agreement prepared by: Florida Gas Transmission Company, LLC
2. Parties to the Agreement: Florida Gas Transmission Company, LLC and Martin County Board

of County Commissioners

3. Purpose of the Agreement: Encroachment Agreement to install an eight-inch force main for the Western Corridor Water and Sewer Main Extension Project

4. New/Revised Document: New

5. Duration: Permanent

6. Benefits to Martin County: Allows for installation of the eight-inch force main

7. Costs to Martin County: None

The Western Corridor Water and Sewer Main Extension Project will provide water and sewer service to Seven J's Industrial Subdivision, Martin County Transfer Station, Martingale Commons PUD, and the Sheriff's Shooting Range in Palm City. This project was previously approved by the Board of County Commissioners as part of the Utilities and Solid Waste Capital Improvement Plan. As part of the project, an eight-inch force main will need to be constructed that crosses an existing Florida Gas Transmission Company easement. An Encroachment Agreement with the Florida Gas Transmission Company is required to be executed prior to installation of the eight-inch force main. The Encroachment Agreement provides written consent from the Florida Gas Transmission Company to install, construct, maintain, use, operate, repair, replace, and enjoy the force main upon a portion of the Easement Area. Written consent from the underlying landowner, Florida Department of Transportation, has been obtained pursuant to an applicable permit.

**ISSUES:**

None

**LEGAL SUFFICIENCY REVIEW:**

This item has been reviewed for legal sufficiency to determine whether it is consistent with applicable law, and legal staff have identified and addressed legal risks and developed strategies for legal defensibility, as applicable.

**RECOMMENDED ACTION:**

**RECOMMENDATION**

1. Move that the Board approve the Encroachment Agreement with the Florida Gas Transmission Company.
2. Move that the Board authorize the Chairman of the Board of County Commissioners to sign the Agreement and any additional documents necessary to finalize the transaction.

**ALTERNATIVE RECOMMENDATIONS**

*Pull* this item from the Consent Agenda and provide additional direction to staff.

**FISCAL IMPACT:**

## RECOMMENDATION

None

## ALTERNATIVE RECOMMENDATIONS

None

## DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment   ☐ Chair Letter   ☒ Contract / Agreement  
☐ Grant / Application   ☐ Notice   ☐ Ordinance   ☐ Resolution  
☐ Other:

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