

# Memorandum



**Date:** January 22, 2009

**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

**Subject:** Resolution authorizing the Mayor or Mayor's designee to negotiate an agreement mutually beneficial to Miami-Dade County and the Florida Power & Light Company for the provision of reclaimed water to the Florida Power & Light Company at their Turkey Point Facility

Agenda Item No. 8(R)(1)(E)

## **RECOMMENDATION**

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing the Mayor or Mayor's designee to negotiate an agreement mutually beneficial to Miami-Dade County and Florida Power & Light Company (FPL) for the provision of reclaimed water to FPL's Turkey Point Facility. The resolution demonstrates compliance with a provision in the County's 20-Year Water Use Permit (WUP) which requires the County to consider providing reclaimed water to FPL.

## **SCOPE OF AGENDA ITEM**

This agenda item is countywide in terms of potential economic benefits. The South District Wastewater Treatment Plant (SDWWTP), which would provide the reclaimed water to FPL, is located in District 8. FPL's Turkey Point Facility is located in District 9.

## **FISCAL IMPACT/FUNDING SOURCE**

The project is estimated to cost approximately \$122 million inclusive of the pipeline running about nine miles from the SDWWTP to FPL's Turkey Point Facility. The County's portion of the project funding will be from the Miami-Dade Water and Sewer Department's (WASD) budget, utilizing bond funding to finance capital costs and operating revenues to provide for maintenance and operating costs. There will be other on-going operating and maintenance costs yet to be determined that will be incorporated into a pricing agreement between the County and FPL for delivery of the reclaimed water.

## **TRACK RECORD/MONITOR**

WASD's Deputy Director for Capital Improvements and Regulatory Compliance will monitor this project.

## **BACKGROUND**

During the 2008 legislative session, a bill was passed, and ultimately signed into law, requiring the County to abandon the use of its two ocean outfalls for disposal of wastewater and to reclaim and reuse at least 60 percent of wastewater that otherwise would have been disposed. Between the WUP and the outfall legislation, the County could be obligated to reclaim and reuse about 230 million gallons per day of wastewater.

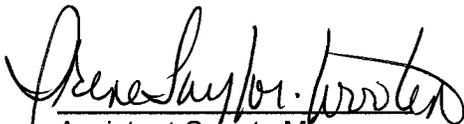
At the time the WUP was approved, it was known that FPL was considering the expansion of their Turkey Point Facility to include two additional nuclear power generating stations which would require substantial quantities of water for cooling and other purposes.

The need for reclaimed water at Turkey Point will be significant. This water can be treated to meet regulatory standard at the SDWWTP's High Level Disinfection Facility so no additional infrastructure is needed to provide the reclaimed water to FPL's Turkey Point Facility. A nine mile pipeline is needed and could be installed mostly in FPL's right of way under their transmission lines.

Honorable Chairman Dennis C. Moss  
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The negotiated agreement between the County and FPL would be followed by a more specific reclaimed water services agreement including details such as fees and charges, delivery schedules, and other aspects characteristic of a WASD customer agreement. WASD anticipates that some federal support may be available for this project and will continue encouraging that possibility.

Approval of this resolution will confirm and formalize the County's on-going negotiation process with FPL. It is anticipated that the agreement will be provided to the Board for consideration in early 2009.

  
Assistant County Manager



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** January 22, 2009

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 8(R)(1)(E)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(R)(1)(E)  
1-22-09

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE MAYOR OR  
MAYOR'S DESIGNEE TO NEGOTIATE AN AGREEMENT  
MUTUALLY BENEFICIAL TO MIAMI-DADE COUNTY  
AND THE FLORIDA POWER & LIGHT COMPANY FOR  
THE PROVISION OF RECLAIMED WATER TO THE  
TURKEY POINT FACILITY

Whereas, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference ; and

Whereas, Miami-Dade County has committed and is required to reclaim and reuse large quantities of wastewater to meet future water supply needs; and

Whereas, the Florida Power & Light Company is planning to expand electrical generation at its Turkey Point Facility to meet the electrical needs of its customers throughout its service area in Miami-Dade County; and

Whereas, a significant quantity of water will be needed for the operation of the generating facility at Turkey Point; and

Whereas, responsible State agencies have strongly encouraged consideration of reclaimed wastewater to meet these needs; and

Whereas, the productive use of reclaimed water will be beneficial to and protective of natural systems that are critical to the sustainability of South Florida; and

Whereas, successful implementation of these projects will bring significant and lasting economic benefits to our community; and

Whereas, federal financial support for such a project is already a County legislative priority and can be given emphasis at a time when infrastructure construction is especially critical to economic recovery; and

Whereas, a timely agreement between Miami-Dade County and the Florida Power & Light Company to pursue this mutually beneficial opportunity is in the public interest,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** authorizes the Mayor or Mayor's designee to negotiate a mutually beneficial agreement with the Florida Power & Light Company (FP&L) for Miami-Dade County to supply a significant amount of reclaimed water to FP&L for use at its Turkey Point Facility. Such agreement will be presented to the Board of County Commissioners for approval consistent with the permitting process for the Turkey Point Facility.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	
Jose "Pepe" Diaz, Vice-Chairman	
Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 22<sup>nd</sup> day of January, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney  as  
to form and legal sufficiency.

Henry N. Gillman