

## MEMORANDUM

Agenda Item No. 11(A)(2)

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

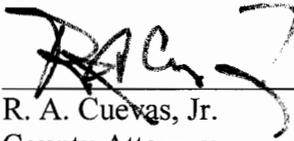
**DATE:** October 6, 2009

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

**SUBJECT:** Resolution opposing the  
planned route for FPL  
Transmission Lines along U.S.  
1; Urging FPL to identify  
alternate routes or construct  
transmission lines underground

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Katy Sorenson.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/jls



# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

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County Attorney

**SUBJECT:** Agenda Item No. 11(A)(2)

Please note any items checked.

- "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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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

Agenda Item No. 11(A)(2)  
10-6-09

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

RESOLUTION OPPOSING THE PLANNED ROUTE FOR FPL TRANSMISSION LINES ALONG U.S. 1; URGING FPL TO IDENTIFY ALTERNATE ROUTES OR CONSTRUCT TRANSMISSION LINES UNDERGROUND TO MINIMIZE THE ADVERSE IMPACTS ON COMMUNITIES ALONG U.S. 1

**WHEREAS**, Florida Power & Light (“FPL”) has determined that the construction of an electric transmission line along U.S. 1 and the accompanying busway is the preferred eastern route for new transmission capacity; and

**WHEREAS**, the transmission line is intended to increase capacity and connect the Turkey Point power station to downtown Miami; and

**WHEREAS**, the proposed U.S. 1 route deviates from existing high voltage utility corridors while imposing substantial adverse impacts on the surrounding residents and businesses close to U.S. 1, and will impact the quality of life along the U.S. 1 corridor; and

**WHEREAS**, this Board has identified the U.S. 1 corridor and the accompanying busway as one of the areas best suited for higher density, smart growth development to capitalize on public transportation investments and minimize urban sprawl; and

**WHEREAS**, transmission lines are not functionally or aesthetically compatible with the mixed use pedestrian-friendly land use policies established by Miami-Dade County; and

**WHEREAS**, the placement of these lines along the U.S. 1 corridor and the corresponding busway could inhibit the development and improvement of the busway into a major public transportation alternative to reduce the congestion of vehicle traffic in Miami-Dade County; and

**WHEREAS**, FPL has withdrawn consideration of a number of alternate routes that would better maximize the use of existing electricity transmission corridors; and

**WHEREAS**, the Town of Cutler Bay, the Village of Pinecrest and the City of South Miami have all passed resolutions, copies of which are attached, opposing the proposed routing of an FPL transmission line along U.S. 1,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

Section 1. Expresses its opposition to the planned construction of transmission lines by FPL along the U.S. 1 corridor.

Section 2. Encourages FPL to identify alternate routes that maximize the use of existing utility corridors, or in the alternative, construct any new transmission lines along the proposed U.S. 1 route underground to integrate with the County's smart growth policies and minimize the adverse impacts on the communities along U.S. 1.

Section 3. Encourages FPL to use the planned utility transmission expansion to storm-harden existing, older transmission lines along existing routes.

Section 4. Directs the Clerk of the Board to transmit certified copies of this resolution to the Chair and Chief Executive Office of FPL, the Chair and Members of the Miami-Dade State Legislative Delegation, the Chair and Members of the Florida Public Service Commission, and the Executive Director of the Miami-Dade League of Cities.

The Prime Sponsor of the foregoing resolution is Commissioner Katy Sorenson. It 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of October, 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.



Jess M. McCarty

**RESOLUTION NO. 09-25**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY FLORIDA, OPPOSING THE PROPOSED ROUTES ALONG U.S. HIGHWAY 1 OR THE LUDLAM TRAIL FOR THE FLORIDA POWER & LIGHT TRANSMISSION LINE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Power & Light (“FPL”) is considering the construction of a transmission line, which line will impact the residents, business and quality of life along the US-1 Corridor; and

**WHEREAS**, this line is intended to increase capacity and connect the Turkey point power station to downtown Miami and points north; and

**WHEREAS**, one possible route is along U.S. Highway 1 (“U.S. 1” route), and the corresponding bus way; and

**WHEREAS**, the proposed U.S. 1 route would impose substantial adverse impacts on the surrounding residents and businesses proximate to U.S 1; and

**WHEREAS**, the Miami-Dade County Commission has identified the U.S. 1 corridor and the corresponding busway as the area best suited for future development to hold the line on urban sprawl. Electric Transmission lines are not functionally and/or aesthetically compatible with the mixed use pedestrian friendly design as envisioned by the people and leaders of Miami-Dade County; and

**WHEREAS**, the placement of these lines along the U.S.1 corridor and the corresponding bus way would inhibit and or prohibit the development and improvement of the bus way into a major mass transit alternative to reduce the congestion of vehicle traffic in Miami-Dade County.

**NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA;**

**Section 1.** The Mayor and Town Council hereby states their opposition to the potential U.S. Highway 1 route.

**Section 2.** In the event that the route impacting US-1 is ultimately selected that the Mayor and Council formally request FPL to place the transmission lines running through the underground to reduce the adverse impacts on the citizens and visitors to impacted communities.

**Section 3.** The Mayor and Town Council encourage FPL to work with the Department of Transportation to identify transmission line routes that minimize the adverse impacts on the communities along the U.S. 1 Corridor and the adjacent bus way.

**Section 4.** The Mayor and Town Council directs the Town Clerk to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Presiding Officer and Members of the municipalities in Miami-Dade County and the Executive Director of the Miami-League of Cities, and the Florida Department of Environmental Protection.

**Section 5.** This resolution shall take effect immediately upon approval.

PASSED AND ADOPTED this 18<sup>th</sup> day of March, 2009.

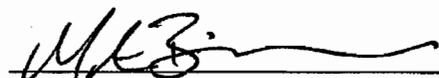
  
PAUL S. VROOMAN, Mayor

Attest:

  
ERIKA GONZALEZ-SANTAMARIA, CMC  
Town Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE SOLE USE OF THE TOWN OF CUTLER BAY:

  
WEISS SEROTA HELFMAN PASTORIZA  
COLE & BONISKE, P.L.  
Town Attorney

Moved By: Councilmember Bell  
Seconded By: Councilmember Sochin

FINAL VOTE AT ADOPTION:

Mayor Paul S. Vrooman	<u>YES</u>
Vice Mayor Edward P. MacDougall	<u>YES</u>
Councilmember Peggy R. Bell	<u>YES</u>
Councilmember Timothy J. Meerbott	<u>YES</u>
Councilmember Ernest S. Sochin	<u>YES</u>

**RESOLUTION NO. 2009-19**

**A RESOLUTION OF THE VILLAGE OF PINECREST, FLORIDA, EXPRESSING OPPOSITION TO THE PLANNED ROUTE ALONG PINECREST PARKWAY (US 1) FOR FPL TRANSMISSION LINES; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, FPL has proposed the construction of transmission lines along the Village's main commercial corridor, Pinecrest Parkway (US 1); and

WHEREAS, the proposed US 1 route for the transmission lines would impose substantial adverse impacts on the surrounding residents and businesses and the overall quality of life of the community; and

WHEREAS, the proposed US 1 route would inhibit, and even prohibit, the future development and improvement of the US 1 commercial corridor;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF PINECREST, FLORIDA, AS FOLLOWS:

Section 1. That the Village Council hereby expresses their strenuous opposition to the planned construction of transmission lines by FPL along the Pinecrest Parkway (US 1) commercial corridor.

Section 2. That the Village Council encourages FPL to identify an alternate route or construct the transmission lines underground to minimize the adverse impacts on the communities along US 1.

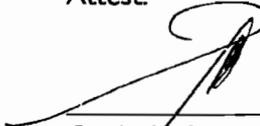
Section 3. That the Village Clerk is hereby directed to transmit a copy of this resolution to FPL, the Village's representatives in the Florida Legislature, the Village's representatives on the Miami-Dade Board of County Commissioners, the municipalities of Coral Gables, Cutler Bay, Palmetto Bay, Miami, and South Miami, the Florida Public Service Commission, the Florida Department of Environmental Protection, and the Miami-Dade League of Cities.

Section 4. This Resolution shall take effect immediately upon adoption.

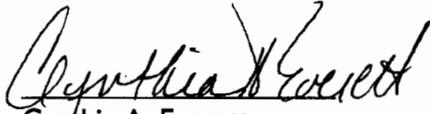
PASSED AND ADOPTED this 14th day of April, 2009.

  
Cindy Lerner, Mayor

Attest:

  
Guido H. Inguanzo, Jr., CMC  
Village Clerk

Approved as to Form and Legal Sufficiency

  
Cynthia A. Everett  
Village Attorney



Moved by: Vice Mayor Cutler  
Second by: Councilmember Ross

Vote: Councilmembers Corradino, Harter, Ross, Vice Mayor Cutler, and Mayor Lerner voting Yes

**RESOLUTION NO. 67-09-12876**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, RELATING TO OPPOSING THE PROPOSED ROUTES ALONG THE LUDLUM TRAIL OR ALONG US HIGHWAY 1, FOR THE FPL TRANSMISSION LINE: AND PROPOSING THE EVALUATION OF AN ALTERNATE ROUTE ALONG SR 826, SR 836 OR SR 874; PROVIDING FOR TRANSMITTAL TO THE STATE, AGENCIES, AND OTHER COMMUNITIES; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, Florida Power and Light (FPL) is considering the construction of a transmission line in order to increase capacity and connect the turkey point power station to downtown Miami and points North; and,

**WHEREAS**, one proposed FPL route is along US Highway 1 and a second potential route is the railroad corridor along the Ludlum Trail through the City of South Miami; and,

**WHEREAS**, the Ludlum Trail proposed route runs adjacent to and in close proximity to established residential neighborhoods and two existing schools; and,

**WHEREAS**, the proposed US Highway 1 route runs adjacent to and in close proximity to an established residential neighborhood, hospitals, schools and other occupied commercial buildings; and,

**WHEREAS**, locating transmission lines through densely populated areas imposes an unreasonable burden on the affected community due to exposure to EMF, audible noise, visual impact and danger of collapsed lines; and,

**WHEREAS**, the siting of electric transmission power lines along public highway right-of-ways and other corridors with relatively small right-of-ways poses significant health and safety concerns; and,

**WHEREAS**, the siting of electric transmission power lines along public highway right-of-ways with larger buffers and wider right-of-ways such as State Road 826, State Road 836, and State Road 874 for example, minimizes impacts on residential communities, businesses, hospitals and schools; and,

WHEREAS, the Mayor and City Commission seek to lobby the State Legislature relating to same.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA;

Section 1. That the Mayor and City Commission does hereby state its opposition to the Ludlam Trail route and the U.S. Highway 1 route for the proposed transmission line proposed by FPL, and propose the relocation of the FPL transmission lines along larger public highway rights-of-way, including, but not limited to SR 826, 836 and 874.

Section 2. In the event that one of the routes through the City of South Miami is ultimately selected that the Mayor and Commission formally request FPL to place the transmission lines running through the City under ground to reduce the adverse impacts of electric magnetic fields on the citizens and visitors to South Miami.

Section 3. The Mayor and City Commission encourage FPL to work with the Department of Transportation to identify transmission line routes that minimize exposure to population centers.

Section 4. The Mayor and City Commission directs the City Clerk to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Presiding Officer and Members of the municipalities in Miami-Dade County and the Executive Director of the Miami-League of Cities, and the Florida Department of Environmental Protection and FPL.

Section 5. This resolution shall take effect immediately upon approval.

PASSED AND ADOPTED this 7th day of April, 2009.

ATTEST:

[Signature] CITY CLERK

APPROVED:

[Signature] MAYOR

READ AND APPROVED AS TO FORM:

[Signature] Luis R. Figueredo, Office of City Attorney

COMMISSION VOTE: 5-0
Mayor Feliu: Yea
Vice Mayor Beasley: Yea
Commissioner Palmer: Yea
Commissioner Beckman: Yea
Commissioner Newman: Yea