

MEMORANDUM

Agenda Item No. 11(A)(17)

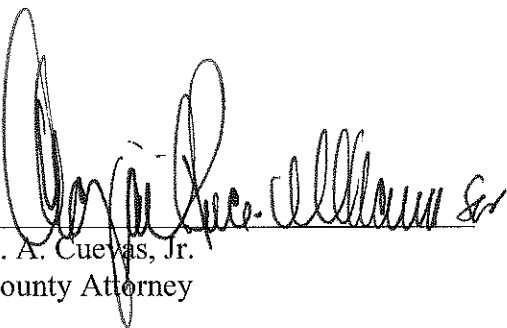
TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

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

SUBJECT: Resolution urging the Florida
Cabinet sitting as the
Electrical Power Plant &
Transmission Line Siting
Board to reject all proposals to
the east of the Urban
Expansion Area and approve
certain proposals to the west
of the Urban Expansion Area
for Florida Power & Light
Company's proposed Western
transmission line corridor

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.



R. A. Cuevas, Jr.
County Attorney

RAC/cp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: July 2, 2013

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

SUBJECT: Agenda Item No. 11(A)(17)

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 Mayor'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

Agenda Item No. 11(A)(17)

Veto _____

7-2-13

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA CABINET SITTING AS THE ELECTRICAL POWER PLANT & TRANSMISSION LINE SITING BOARD TO REJECT ALL PROPOSALS TO THE EAST OF THE URBAN EXPANSION AREA AND APPROVE CERTAIN PROPOSALS TO THE WEST OF THE URBAN EXPANSION AREA FOR FLORIDA POWER & LIGHT COMPANY'S PROPOSED WESTERN TRANSMISSION LINE CORRIDOR

WHEREAS, pursuant to the Florida Electrical Power Plant Siting Act and the Florida Electric Transmission Line Siting Act (Fla. Stat. Ch. 403, Pt. II), Florida Power & Light Company has filed a site certification application for two new nuclear power plant units, Turkey Point 6 and 7, and associated transmission lines; and

WHEREAS, as part of its site certification application, Florida Power & Light has submitted two proposals for the Western Corridor transmission lines that are to the west of the Urban Expansion Area, the "Western Preferred Corridor," which runs along the boundary of Everglades National Park, and the "Western Secondary Corridor," which runs through Everglades National Park; and

WHEREAS, the Miami-Dade Limestone Products Association also has submitted for the Western Corridor three alternate transmission line proposals, two of which are to the west of the Urban Expansion Area and run along the boundary of Everglades National Park, and one of which is to the east of the Urban Expansion Area, which runs near residential areas; and

WHEREAS, the National Parks Conservation Association has submitted one alternate transmission line proposal to the east of the Urban Expansion Area, which runs near residential areas; and

WHEREAS, all of these proposals are shown on the map which is attached and incorporated by reference; and

WHEREAS, an administrative case is currently pending before the Florida Division of Administrative Hearings (DOAH), Case No. 09-3575-EPP, in which the Florida Cabinet sitting as the Electrical Power Plant & Transmission Line Siting Board will make the final decision as to which of the proposed Western Corridor transmission lines will be certified; and

WHEREAS, Miami-Dade County is currently opposing all of the Western Corridor transmission line proposals to the west of the Urban Expansion Area and the Miami-Dade Limestone Products Association proposal to the east and is currently recommending approval, subject to conditions, of the National Parks Conservation Association proposal to the east; and

WHEREAS, the transmission line proposals to the east of the Urban Expansion Area could bring the required high voltage transmission lines within a few hundred feet of residential neighborhoods and commercial development; and

WHEREAS, the placement of transmission lines near residential areas may have an adverse aesthetic impact, may detract from the areas' natural beauty, and may affect individuals' enjoyment of parks, outdoor shopping, and other outdoor activities; and

WHEREAS the transmission line proposals to the east could negatively impact the value of properties east of Krome Avenue and could adversely affect West Kendall; and

WHEREAS, accepting a transmission line proposal to the west of the Urban Expansion Area would result in the final transmission line route being farther away from existing residential or commercial development; and

WHEREAS, the final administrative hearing in the Siting Act case is set to begin on July 8, 2013; and

WHEREAS, this Board, which has not previously considered or adopted a policy position on the proposed transmission corridors, now wishes to urge the Florida Cabinet to reject proposals that place the Western Corridor transmission lines closer to residential and commercial areas; and

WHEREAS, urging the Florida Cabinet to reject these proposed transmission corridors requires the County to revise its position in the pending Siting Act case so as to:

- Oppose Western Corridor transmission line proposals to the east of the Urban Expansion Area, as well as the “Western Secondary Corridor” that runs through Everglades National Park, and urge rejection of these proposals; and
- Support Western Corridor transmission line proposals to the west of the Urban Expansion Area, except the “Western Secondary Corridor,” and urge approval of any of these proposals away from residential areas,

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

Section 1. Urges the Florida Cabinet sitting as the Electrical Power Plant & Transmission Line Siting Board in the pending Siting Act proceeding, Florida Division of Administrative Hearing (DOAH) Case No. 09-3575-EPP, to reject Western Corridor transmission line proposals to the east of the Urban Expansion Area, as well as the “Western Secondary Corridor” that runs through Everglades National Park, and approve any of the transmission line proposals to the west of the Urban Expansion Area, except the “Western Secondary Corridor,” with conditions reflecting the applicable non-procedural requirements of Miami-Dade County’s Comprehensive Development Master Plan, if any, and all other applicable non-procedural Miami-Dade County ordinances, standards, and criteria, to the greatest extent possible.

Section 2. Directs the Mayor or designee to proceed consistent with the position set forth in this resolution in the pending Siting Act proceeding and to modify any positions previously taken by the County to conform to the outcome urged in this resolution.

Section 3. Directs the Clerk of the Board to transmit certified copies of the resolution to the Members of the Florida Cabinet and Chair and Members of the Miami-Dade State Legislative Delegation.

The Prime Sponsor of the foregoing resolution is Commissioner Juan C. Zapata. 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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of July, 2013. 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

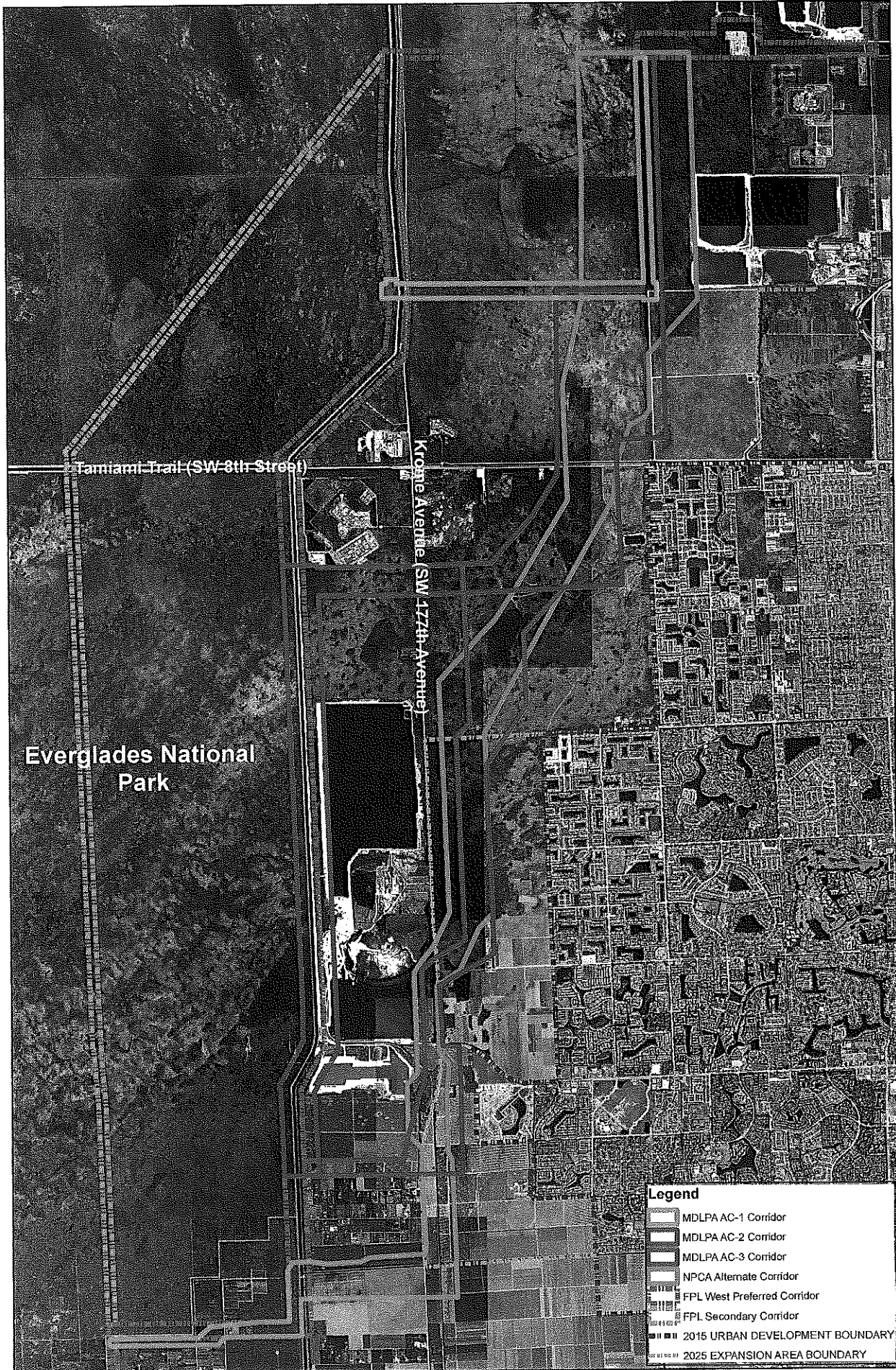
HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



John D. McInnis
Dennis A. Kerbel



Everglades National Park

Tamiami Trail (SW-8th Street)

Krohn Avenue (SW 177th Avenue)

Legend

- MDLPA AC-1 Corridor
- MDLPA AC-2 Corridor
- MDLPA AC-3 Corridor
- NPCA Alternate Corridor
- FPL West Preferred Corridor
- FPL Secondary Corridor
- 2015 URBAN DEVELOPMENT BOUNDARY
- 2025 EXPANSION AREA BOUNDARY