MEMORANDUM

Agenda Item No. 11(A)(4)

TO:	Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners	**DATE:**	May 6, 2014
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution determining that the Cutler Ridge Electric Power Generating Plant site is not in use, and will not be in use in the future, for an electrical power generating facility

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chair Lynda Bell.

R. A. Cuevas, Jr.
County Attorney

RAC/lmp

MEMORANDUM
(Revised)

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

DATE: May 6, 2014

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

SUBJECT: Agenda Item No. 11(A)(4)

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
Veto _____
Override _____

Agenda Item No. 11(A)(4)
5-6-14

RESOLUTION NO. _____

RESOLUTION DETERMINING THAT THE CUTLER RIDGE ELECTRIC POWER GENERATING PLANT SITE IS NOT IN USE, AND WILL NOT BE IN USE IN THE FUTURE, FOR AN ELECTRICAL POWER GENERATING FACILITY

WHEREAS, Section 9.6 of the Charter of the Village of Palmetto Bay provides for regulatory control over the location of the Florida Power and Light Cutler Ridge Electric Power Generating Plant (the "Cutler Ridge Plant") to be retained by Miami-Dade County, in recognition that the Cutler Ridge Plant was a facility of county-wide significance; and

WHEREAS, Section 9.6 of the Charter of the Village of Palmetto Bay further provides that its provisions shall be null and void upon an official determination by the Board of County Commissioners of Miami-Dade County that the Cutler Ridge Plant Site is not in use for an electric power generating facility of county-wide significance, and will not be used for such a facility in the future; and

WHEREAS, On August 10, 2013, Florida Power and Light demolished the Cutler Ridge Plant, and has requested an official determination that the Cutler Ridge Plant Site is not in use, and will not be in use in the future, for an electrical power generating facility,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board officially determines that the Cutler Ridge Plant Site, as defined by Section 9.6 of the Charter of the Village of Palmetto Bay, is not in use for an electrical power generating facility of county-wide significance and will not be used for such a facility in the future.

The Prime Sponsor of the foregoing resolution is Vice Chair Lynda Bell. 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	Esteban L. Bovo, Jr.
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of May, 2014. 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.

Dennis A. Kerbel