

# MEMORANDUM

Agenda Item No. 11(A)(24)

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**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

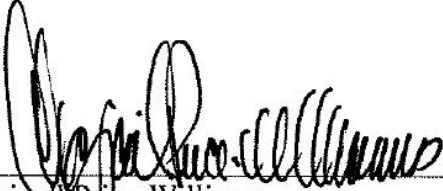
**DATE:** October 20, 2020

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging the Florida  
Legislature to enact legislation  
facilitating, incentivizing, and  
enabling the use of reclaimed  
water by electric utilities in  
Florida

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Rebeca Sosa.



Abigail Price-Williams  
County Attorney

APW/uw



**MEMORANDUM**  
(Revised)

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and Members, Board of County Commissioners

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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
- Statement of social equity 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ ) 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)(24)  
10-20-20

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

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
ENACT LEGISLATION FACILITATING, INCENTIVIZING,  
AND ENABLING THE USE OF RECLAIMED WATER BY  
ELECTRIC UTILITIES IN FLORIDA

**WHEREAS**, on June 16, 2020, this Board adopted Resolution No. R-579-20, which, among other things, approved an Agreement for Reclaimed Water Processing, Treatment and Use at the Florida Power & Light (“FPL”) Turkey Point Complex with FPL (the “agreement”); and

**WHEREAS**, the agreement helps effectuate the advanced reclaimed water project, which will use reclaimed water from County wastewater facilities as an alternative source of cooling waters for certain cooling towers at FPL’s power generation facilities known as the Turkey Point Complex (“Turkey Point”); and

**WHEREAS**, such use of reclaimed water would allow FPL to seek authorization to redirect Floridan Aquifer water otherwise allocated for use in the aforementioned cooling towers to instead be used to manage salinity levels in Turkey Point’s cooling canal system, which will help protect water resources in the surrounding environment; and

**WHEREAS**, the advanced reclaimed water project would help the County comply with the Florida Department of Environmental Protection’s requirement that the County process and treat wastewater in part to produce water that is technically and economically feasible for reuse pursuant to section 403.064, Florida Statutes; and

**WHEREAS**, under the agreement, the County and FPL will work together to establish the advanced reclaimed water project, and the agreement outlines each party’s obligations, including costs each party will incur; and

**WHEREAS**, one of the conditions precedent of the agreement is that FPL receive approval or assurance from the State of Florida that it can recover costs it will incur in connection with its construction of facilities needed in furtherance of the advanced reclaimed water project; and

**WHEREAS**, an amendment to chapter 366, Florida Statutes, that authorizes cost recovery by electric utilities for costs associated with the use of reclaimed water could help satisfy that condition precedent of the agreement; and

**WHEREAS**, because electric power production has substantial and consistent water demands throughout the year, electric power production is an ideal use for reclaimed water; and

**WHEREAS**, facilitating, incentivizing, and enabling the use of reclaimed water by electric utilities on a statewide basis for purposes that are technically, environmentally, and economically feasible will benefit electric utilities and water and wastewater utilities in optimizing limited water supplies throughout the State and will consequently benefit utility consumers, including residents of Miami-Dade County; and

**WHEREAS**, this Board therefore wishes to urge the Florida Legislature to enact legislation facilitating, incentivizing, and enabling the use of reclaimed water by electric utilities in Florida,

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

**Section 1.** Urges the Florida Legislature to enact legislation facilitating, incentivizing, and enabling the use of reclaimed water by electric utilities in Florida.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

**Section 3.** Directs the County’s state lobbyists to advocate for the legislation set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2021 State Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Rebeca Sosa. 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:

Audrey M. Edmonson, Chairwoman	
Rebeca Sosa, Vice Chairwoman	
Esteban L. Bovo, Jr.	Daniella Levine Cava
Jose “Pepe” Diaz	Sally A. Heyman
Eileen Higgins	Barbara J. Jordan
Joe A. Martinez	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	

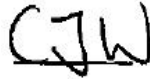
The Chairperson thereupon declared this resolution duly passed and adopted this 20<sup>th</sup> day of October, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the 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.



Christopher J. Wahl