

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

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

R#72-09

The resolution for this item was amended at the January 22, 2009 Board of County Commissioners (Board) meeting to include the following conditions when the County negotiates the agreement with the Florida Power & Light Company (FPL) for the provision of reclaimed water: 1) other uses for the reclaimed water, 2) the quantity of reclaimed water needed by FP&L at Turkey Point, 3) responsibility for environmental permitting, 4) allocation of costs, 5) a water consumption agreement, and 6) the security of the reclaimed water pipeline. The agreement for reclaimed water and the water consumption agreement will be placed on the same agenda to the Board for consideration.

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.

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

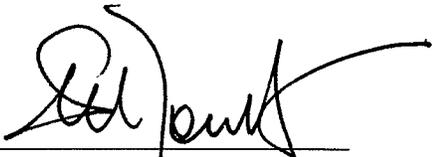
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At the time the WUP was approved, it was known that FPL was considering the expansion of their Turkey Point Facility to include two additional nuclear power generating stations which would require substantial quantities of water for cooling and other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

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: Amended
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 _____

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

1-22-09

#72-09

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) to develop a reclaimed water project and to negotiate a reclaimed water services agreement for Miami-Dade County to supply a significant amount of reclaimed water to FP&L for use at its Turkey Point Facility. Conditions the County shall consider during negotiations include, but are not limited to, the following: other uses for the reclaimed water; the quantity of reclaimed water needed by FP&L at Turkey Point; responsibility for environmental permitting; allocation of costs; water consumption agreement and security of the reclaimed water pipeline. Both agreements should be presented together 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 **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Dorrin D. Rolle** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency:

A handwritten signature in black ink, appearing to read "H. Gillman", written over a horizontal line.

Henry N. Gillman