

MEMORANDUM

Agenda Item No. 11(A)(24)

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

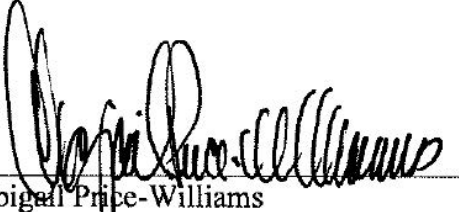
DATE: October 20, 2020

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

Resolution No. R-1108-20

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

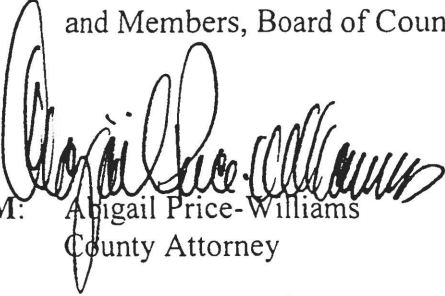


MEMORANDUM

(Revised)

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

DATE: October 20, 2020

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(24)

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. R-1108-20

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.

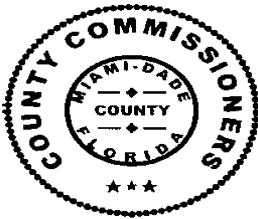
Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Senate President, House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

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 **José "Pepe" Diaz** , who moved its adoption. The motion was seconded by Commissioner **Daniella Levine Cava** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 20th 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: **Melissa Adames**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

CJW

Christopher J. Wahl