

RESOLUTION NO. 2010-32

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO THE FLORIDA POWER AND LIGHT APPLICATION RELATING TO TURKEY POINTS UNITS 6 AND 7, POWER PLANT SITING APP. PA 03-45A3, AND ASSOCIATED POWER LINES; RELATING TO THE VILLAGE'S OPPOSITION TO SITING TRANSMISSION POWER LINES DOWN U.S. HIGHWAY 1; OPPOSING THE PROPOSED ROUTES ALONG US HIGHWAY 1, FOR THE FPL TRANSMISSION LINE PROVIDING FOR TRANSMITTAL TO THE STATE, AGENCIES, AND OTHER COMMUNITIES; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Eugene P. Flinn, Jr.].

WHEREAS, Florida Power and Light (FPL) is considering the construction of a transmission line in order to increase capacity and connect the Turkey Point Power Station to downtown Miami and points north; and,

WHEREAS, one proposed FPL route is along US Highway 1 from SW 136 Street to downtown; and,

WHEREAS, the proposed US Highway 1 route runs adjacent to and in close proximity to an established residential neighborhood and other occupied commercial buildings; and,

WHEREAS, locating transmission lines through densely populated areas imposes an unreasonable burden on the affected community due to exposure to EMF, audible noise, visual impact and danger of collapsed lines; and,

WHEREAS, the siting of electric transmission power lines along public highway right-of-ways and other corridors with relatively small right-of-ways poses significant health and safety concerns; and,

WHEREAS, the siting of electric transmission power lines along public highway right-of-ways with larger buffers and wider right-of-ways such as State Road 826, State Road 836, and State Road 874 for example, minimizes impacts on residential communities, businesses and schools; and,

WHEREAS, the Mayor and Village Council seek to lobby the State Legislature relating to same; and,

WHEREAS, the Village has been participating through the FPL application process as a designated party since its filing in 2009; and,

WHEREAS, the Village remains a party to the application and is updated on all the actions relating to the FPL Turkey Points Units 6 & 7 Power Plant Siting App., PA 03-45A3; and,

WHEREAS, over the past nine months, FPL has been seeking a Determination of Completeness on the transmission portion of FPL's site certification application and the hearing is being scheduled for (Fifth Revised Schedule) for February 25, 2011; and,

WHEREAS, on March 23, 2010, the Department of Environmental Protection issued its Third Determination of Incompleteness for the transmission line portion of the application; and,

WHEREAS, pursuant to section 403.5066(4), Florida Statutes, and pursuant to the February 5, 2010 Stipulation and Joint motion to Alter Schedule, reviewing agencies have until May 28, 2010, to submit recommendation regarding the completeness of the plant and non-transmission portions of the application; and,

WHEREAS, by April 21, 2010, Miami-Dade County is to issue its determination of land use/zoning consistency for power plant site and associated facilities that are not exempt from the definition of development; and,

WHEREAS, by June 25, 2010, agencies headed by a collegial body are to issue reports on FPL's proposed transmission line corridors as to matters within their jurisdiction consistent with section 403.526(2)(d); and,

WHEREAS, by August 2, 2010, the Administrative Law Judge is to issue a recommended order from any hearings on land use consistency issues; and,

WHEREAS, by August 13, 2010, a party is to file its notice proposed alternative corridors for a transmissions and the alternate corridors must include same terminal and intermediate substations or substation expansions as FPL's proposed corridors, as required by section 403.5064(4), Florida Statutes; and,

WHEREAS, on March 9, 2010, the Village of Pinecrest adopted Resolutions 2010-11, 2010-12, 2010-13, and 2010-19; and the City of South Miami adopted Resolutions 2010-12, 2010-13, 2010-14, significantly addressing these issues. The City of Coral Gables and the Town of Cutler Bay is anticipated to offer similar Resolutions at their next Council meetings (April 13th and April 28th, respectively); and,

WHEREAS, the Mayor and Village Council of Palmetto Bay joins together with the South-Dade Coalition of municipalities desire to propose such corridor alternatives as a unified voice.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. That the Mayor and Village Council does hereby affirms its opposition to the U.S. Highway 1 route for the proposed transmission line proposed by FPL, and propose the relocation of the FPL transmission lines along larger public highway rights-of-way, including, but not limited to SR 826, 836 and 874.

Section 2. In the event that one of the routes takes the lines through the Village of Palmetto Bay, the Mayor and Village Council formally request FPL to place the transmission lines running through the Village under ground to reduce the adverse impacts of electric magnetic fields on the citizens and visitors to Palmetto Bay.

Section 3. The Mayor and Village Council encourage FPL to work with the Department of Transportation to identify transmission line routes that minimize exposure to population centers.


Section 4. The Mayor and Village Council specifically express their continuing support for the South-Dade coalition of municipalities that are taking affirmative action on this issue of great public importance.

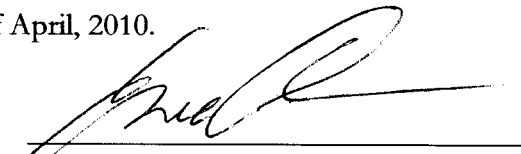
Section 5. The Mayor and Village Council directs the Village Clerk to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, the Chair and Members of the Miami-Dade County State Legislative Delegation, the Presiding Officer and Members of the municipalities in Miami-Dade County and the Executive Director of the Miami-League of Cities, and the Florida Department of Environmental Protection and FPL.

Section 6. This resolution shall take effect immediately upon approval.

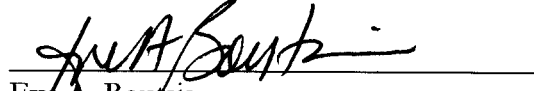
PASSED and ADOPTED this 12th day of April, 2010.

Attest:


Meghan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


Eve A. Boursis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Howard Tendrich	<u>YES</u>
Council Member Shelley Stanczyk	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>