

RESOLUTION NO. R-2008-41

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE DURING THE 2008 LEGISLATIVE SESSION TO SUPPORT AN AMENDMENT TO SECTION 403.524 OF THE FLORIDA STATUTES, RELATING TO THE TRANSMISSION SITING ACT, TO PROVIDE FOR INPUT FROM MUNICIPALITIES AND MORE OVERSIGHT FROM THE PUBLIC SERVICE COMMISSION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, the Florida Public Service Commission has limited oversight over the siting of transmission lines by electrical utility companies providing services in Florida; and

WHEREAS, electrical utility companies are allowed to install extremely large poles to accommodate transmissions lines as long as the lines are less than fifteen (15) miles in length and do not cross a county line without first seeking certification from the Public Service Commission or the Department of Environmental Protection; and

WHEREAS, municipalities have been denied the ability to challenge the siting of transmission lines in their municipalities if the lines are less than fifteen (15) miles in length and do not cross a county line; and

WHEREAS, Florida's municipalities should be given a method of redress when transmission lines are proposed to be placed in their boundaries; and

WHEREAS, Florida legislature is capable of amending the current provisions of Section 403.524 to require that all transmission lines siting within the boundaries of a municipality must be presented to the Public Service Commission and Department of Environmental Protection and municipalities given an opportunity to be heard in favor or opposed; and

WHEREAS, the siting of transmission lines in a municipality can pose safety and health issues for the citizens of the municipality; and

WHEREAS, the City of North Miami was recently unable to challenge the placement of transmission lines on one of the major thoroughfares in the City where two new schools are being constructed; and

WHEREAS, the Mayor and City Council are concerned that Florida Power & Light will continue to place transmission lines in area which are not in the best interest of its citizens without oversight from any department or commission.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:

Section 1. **Mayor and City Council's Urging support of Legislative Priority Issues.** The Mayor and City Council of the City of North Miami hereby urge Governor Charlie Crist and the members of the Florida Legislature to support legislation that:

- Amends Section 403.524 and requires all electrical utilities to seek certification for all transmission lines, without exceptions;
- Require electrical utilities to notify municipalities of proposed sites for transmission lines and full disclosure of the method utilized to determine the route of the transmission lines and efforts taken to de-minimize the impact on the municipality affected;
- Empower the Florida Public Service Commission to hear disputes between electrical utilities and municipalities regarding transmission lines routes; and
- Authorize the filing of civil litigation by a municipality to challenge the siting of transmission lines under certain conditions.

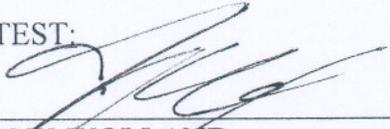
Section 2. **Directions to Clerk.** The City Clerk is hereby directed to forward a copy of this resolution to Governor Charlie Crist, Senate President Ken Pruitt, House Speaker Marco Rubio and members of the Florida Legislature.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon adoption.

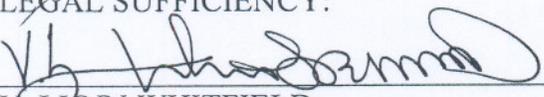
PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 25 day of March, 2008.



KEVIN A. BURNS
MAYOR

ATTEST:


FRANK WOLLAND
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: COUNCILPERSON SCOTT GALVIN

Moved by: Councilman Galvin

Seconded by: Vice Mayor Despinosse

Vote:

Mayor Kevin A. Burns	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Jacques A. Despinosse	<u>X</u>	(Yes)	_____	(No)
Councilperson Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Councilperson Michael R. Blynn	<u>X</u>	(Yes)	_____	(No)
Councilperson Marie Erlande Steril	<u>X</u>	(Yes)	_____	(No)