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RESOLUTION NO. 2013-22

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, SUPPORTING SENATE BILL 498 AND HOUSE BILL 309 RELATING TO RENEWABLE ENERGY PRODUCERS; PROVIDING FOR DISTRIBUTION BY THE VILLAGE CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING AN EFFECTIVE DATE. [Sponsored by Mayor Shelley Stanczyk].

WHEREAS, the Mayor and Village Council desire to establish their legislative agenda items and to express their concerns as to State legislative items; and,

WHEREAS, the Mayor and Village Council support Senator Thompson with Senate Bill 498, and Representative Rehwinkel Vasilinda as to House Bill 309, in their efforts relating to renewable energy producers; and,

WHEREAS, the Bills seek to amend section 366.02, Florida Statutes, to revise the definition of the term “public utility” to exclude certain producers of renewable energy; and,

WHEREAS, the Bills also seek to amend section 366.91, Florida Statutes, to require public utilities to purchase electricity from renewable energy producers at a certain rate; and,

WHEREAS, the proposed definitions and provisions would be amended as follows:

“Public utility” means every person, corporation, (1) partnership, association, or other legal entity and their lessees, trustees, or receivers supplying electricity or gas (natural, manufactured, or similar gaseous substance) to or for the public within this state; but the term “public utility” does not include either a cooperative now or hereafter organized and existing under the Rural Electric Cooperative Law of the state; a municipality or any agency thereof; an entity that produces and sells no more than 5 megawatt hours per hour of renewable energy, as defined in s. 366.91(2), to users of that renewable energy located on property that is adjacent to, contiguous with, or located within 1/2 mile of where the renewable energy is produced;

Each public utility must continuously offer a purchase contract to producers of renewable energy. The commission shall establish requirements relating to the purchase of capacity and energy by public utilities from renewable energy producers and may adopt rules to administer this section. The contract shall contain payment provisions for energy at the same rate that the public utility sells energy to ratepayers.

WHEREAS, the Mayor and Council desire to support Senate Bill 498 and House Bill 309 relating to Renewable Energy Producers.

1 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
2 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
3

4 Section 1. The foregoing "Whereas" clauses are hereby ratified as true and correct
5 and are incorporated herein by this reference.
6

7 Section 2. The Village hereby affirms its support of the legislative priority of Senator
8 Thompson with Senate Bill 498, and Representative Rehwinkel Vasilinda as to House Bill 309, in
9 their efforts relating to renewable energy producers and encouraging the use and generation of
10 power through alternative means.
11

12 Section 3. The Village Clerk is authorized to provide executed copies of this
13 resolution to the Village's lobbyist, and to the Florida Legislature, the Mayor of Miami-Dade
14 County, each member of the Miami-Dade Board of County Commissioners, as well as each
15 municipal clerk in Miami-Dade County for the purpose of distributing copies to members of
16 their respective governing councils.
17

18 Section 4. This resolution shall be effective immediately upon its adoption.
19

20 PASSED and ADOPTED this 4th day of March, 2013.

21
22 Attest: 
23 Meighan Alexander
24 Village Clerk
25


Shelley Stanczyk
Mayor

26 APPROVED AS TO FORM:
27
28 
29 Eve A. Boutsis
30 Village Attorney
31

32
33 FINAL VOTE AT ADOPTION:
34

35 Council Member Patrick Fiore	<u>YES</u>
36 Council Member Tim Schaffer	<u>YES</u>
37 Council Member Joan Lindsay	<u>YES</u>
38	
39 Vice-Mayor John DuBois	<u>YES</u>
40	
41 Mayor Shelley Stanczyk	<u>YES</u>
42	
43	
44	