

5-A)

RESOLUTION NO. 2016 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, EXPRESSING SUPPORT FOR THE CONSTRUCTION OF THE GROVELAND RESERVOIR AND TREATMENT AREA AND REQUESTING THE SAINT JOHNS RIVER WATER MANAGEMENT DISTRICT TO PROTECT AND PRESERVE THE FLORIDA AQUIFER PUBLIC WATER SUPPLY BY RESTRICTING WITHDRAWALS FROM THE FLORIDAN AQUIFER FOR ELECTRIC UTILITY USE; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Floridan Aquifer has provided and currently provides a principle supply of raw public water for Brevard, Indian River and Saint Lucie Counties ("Counties") as well as many other cities and counties; and

WHEREAS, the Floridan Aquifer has been identified as the source for future raw public water supplies for said Counties; and

WHEREAS, the Saint Johns River Water Management District ("SJRWMD") regulates and permits withdrawals of this raw public water from the Floridan Aquifer through its Consumptive Use Permit ("CUP") process; and

WHEREAS, the SJRWMD has identified the Floridan Aquifer as a reliable supply source for raw public water through its adopted Water Supply Plan; and

WHEREAS, the Florida Power and Light Company ("FPL") has requested to withdraw an estimated 9 million gallons of raw public water per day from the Floridan Aquifer for use in the production of electric power; and

WHEREAS, such withdrawal of this raw public water from the Floridan Aquifer by FPL for use in production of electric power does not appear in the SJRWMD Water Supply Plan as an intended use; and

WHEREAS, the Groveland Reservoir and Stormwater Treatment Area ("Groveland Reservoir") has received funding from the Florida Department of Environmental Protection to begin

the preliminary design and engineering for the creation of a reservoir that will capture and treat stormwater that normally would discharge to the Indian River Lagoon; and

WHEREAS, the Groveland Reservoir is identified by the SJRWMD as having a potential capacity of 136 million gallons of treated stormwater per day that could be used as a water supply source for utility and other purposes in place of the Floridan Aquifer; and

WHEREAS, such captured stormwater could be made available and would be more appropriate for use by FPL and other companies instead of using and further stressing the Floridan Aquifer public water supply planned and intended for public use; and

WHEREAS, the Groveland Reservoir is also identified by the South Florida Water Management District ("SFWMD") in their Upper East Coast Water Supply Plan as a potential water supply; and

WHEREAS, the Groveland Reservoir is also identified by the Central Florida Water Initiative ("CFWI") as a potential water supply; and

WHEREAS, the City Council of the City of Vero Beach, Florida, ("City Council") desires to express its concerns to the SJRWMD that the raw public water supply from the Floridan Aquifer should be used for the public and Counties' residents' needs as intended, which use should take precedence over the use of this same water supply for the production of electric power; and

WHEREAS, in order to help preserve the Floridan Aquifer and to provide additional sources for future water supply and to eliminate stormwater discharges destructive to the Indian River Lagoon, the City Council supports the construction of the Groveland Reservoir,

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, AS FOLLOWS:

Section 1 – Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein.

Section 2 – Support For Groveland Reservoir and Stormwater Treatment Area.

The City Council hereby expresses its support for construction of the Groveland Reservoir and Stormwater Treatment Area to provide future water supply to the SJRWMD, SFWMD, and CFWI Basins and to help eliminate discharges destructive to the Indian River Lagoon, thereby protecting and preserving the Indian River Lagoon both now and for future generations.

Section 3 – Request to Limit Floridan Aquifer Withdrawals for Utility Purposes.

The City Council hereby urges and requests the SJRWMD, through its CUP process, to require FPL to utilize water from the Groveland Reservoir for its production of electric power when said reservoir is constructed and operational instead of using the raw public water supply from the Floridan Aquifer. The City Council acknowledges that use of water from the Groveland Reservoir may not be available for FPL's electric power generation for some time in the future and therefore the SJRWMD might grant approval of temporary limited withdrawals from the Floridan Aquifer for such use. Therefore, the City Council further urges and requests that the SJRWMD, through its CUP process, restrict and limit future withdrawals from the Floridan Aquifer once water from the Groveland Reservoir is made available to FPL, thereby protecting the raw public water supply of the Floridan Aquifer for current and future public use of Brevard, Indian River, and Saint Lucie Counties, as well as other cities and counties.

Section 4 - Conflict and severability.

The provisions of this Resolution shall control over those provisions of previously adopted resolutions in conflict herewith. If any provision of this Resolution is held to be invalid, unconstitutional, or unenforceable for any reason by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions.

Section 5 – Effective Date.

This resolution shall become effective upon adoption by the City Council.

This Resolution was heard at a public hearing on the ____ day of _____ 2016, after which hearing it was moved for adoption by Councilmember _____, seconded by Councilmember _____, and adopted by the following vote of the City Council:

Mayor Jay Kramer _____
Vice-Mayor Randy Old _____
Councilmember Pilar E. Turner _____
Councilmember Richard T. Winger _____
Councilmember Harry Howle, III _____

**CITY COUNCIL
CITY OF VERO BEACH, FLORIDA**

ATTEST:

Tammy K. Vock
City Clerk

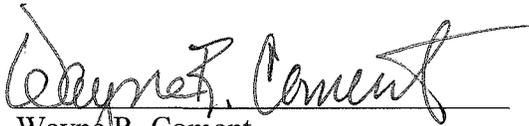
Jay Kramer
Mayor



[SEAL]

Approved as to form and legal sufficiency:

Approved as conforming to municipal policy



Wayne R. Coment
City Attorney



James R. O'Connor
City Manager

Approved as to technical requirements:



Robert J. Bolton
Water & Sewer Director