RESOLUTION NO. 05-50

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, NOTIFYING THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA AND THE DIRECTOR OF THE MIAMI-DADE COUNTY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT (DERM) AS REQUIRED BY SECTION 24-61 OF THE MIAMI-DADE COUNTY CODE; THAT THE VILLAGE REQUEST EXEMPTION FROM INCLUSION IN THE COUNTY'S STORMWATER UTILITY; COMMITTING TO ESTABLISH A STORMWATER UTILITY WITHIN THE MUNICIPAL BOUNDARIES OF THE VILLAGE IN ACCORDANCE WITH SECTION 403.0893(1) (2) OR (3), FLORIDA STATUES; AUTHORIZING THE VILLAGE MANAGER TO NEGOTIATE AN INTERLOCAL AGREEMENT WITH THE COUNTY FOR THE COLLECTION OF THE VILLAGE'S STORMWATER UTILITY FEES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Palmetto Bay is part of the Miami-Dade County Stormwater Utility Program; and,

WHEREAS, pursuant to Section 24-61, et seq., of the County Code, the Village may establish their own Stormwater Utility and request exemption from Miami-Dade County Stormwater Utility upon committing to implement the provisions of Section 403.0893 (1), (2) or (3), Florida Statues, by creating a stormwater utility and adopting stormwater utility fees sufficient to plan, construct, operate and maintain a stormwater management system; and,

WHEREAS, the Village contracted with Kimley Horn and Associates, Inc. to prepare a stormwater master plan and as part of the plan, the Village intends to establish a Stormwater Utility within the boundaries of the Village; and,

WHEREAS, the utility fee collected from the residents will be used to maintain and improve drainage systems within the Village; and,

WHEREAS, the Village desires to exercise its option to exempt the Village from the County's Stormwater Utility; and,

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

SECTION 1: The Village of Palmetto Bay notifies the Board of County Commissioners of the County and the Director of DERM that it exercises its option to be exempted from the provisions of the County Stormwater Utility as provided in Section 24-61, et seq., of the County Code.

SECTION 2: The Village of Palmetto Bay commits to implement the applicable provisions of Section 403.0893(1), (2) or (3), Florida Statues, to create and fund a stormwater utility within the municipal boundaries of the Village.

SECTION 3: The Village of Palmetto Bay is authorized to negotiate with the County an Interlocal Agreement for the collection of the Village's stormwater utility fees.

SECTION 4: This resolution shall be effective immediately upon approval.

PASSED and **ADOPTED** this 11th day of July, 2005.

Attest:

Meighan Pier
Village Clerk

Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:

Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	YES
Council Member Paul Neidhart	YES
Council Member John Breder	YES
Vice-Mayor Linda Robinson	YES
Mayor Eugene P. Flinn, Jr.	YES

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