

**RESOLUTION NO. 16-\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT SENATE BILL 166 OR SIMILAR LEGISLATION PROHIBITING HYDRAULIC FRACTURING IN THE STATE OF FLORIDA; PROVIDING FOR TRANSMITTAL; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, “fracking” or “hydraulic fracturing” or “acid fracturing” is a drilling process which involves the injection of water, sand and other elements into the ground to create fractures in rock formations, allowing for the release of natural gas and oil, thus posing a permanent irreparable threat to all of Florida’s aquifers, other natural resources and the environment; and

**WHEREAS**, overwhelmingly, emerging scientific data shows clear and strong evidence that drilling and fracking are inherently dangerous to public health, welfare and the environment; and

**WHEREAS**, Florida’s water supply comes from highly permeable limestone formations which are vulnerable to contamination from hydraulic rock-fracturing activities designed to extract hydrocarbons; and

**WHEREAS**, in parts of the U.S., where hydraulic fracturing has occurred, including California, Texas, Colorado, Pennsylvania and Wyoming, there have been numerous complaints and legal actions because of contamination of drinking water with arsenic, methane, neurotoxins, and other proven and suspected carcinogens; and

**WHEREAS**, Miami-Dade County gets all of its water from groundwater sources, including the Biscayne Aquifer, and hydraulic fracturing could impact such water sources; and

**WHEREAS**, support for this bill is aligned with the Town’s belief that wise stewardship of our natural resources involves protection of Florida’s water supplies, wildlife and water resources for generations to come; and

**WHEREAS**, the Town’s support of Senate Bill 166 has been a part of the Town’s Legislative Priorities document since 2015; and

**WHEREAS**, the Town wishes to present a unified voice with the approximately sixty (60) other cities, towns, villages and counties in Florida that have passed similar resolutions; and

WHEREAS, the Town Council finds that the adoption of this Resolution is in the best interest and welfare of the residents of the Town.

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

**Section 1. Recitals.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2. Town Council Support.** The Town Council supports Senate Bill 166 or similar legislation to ban fracking anywhere within the State of Florida.

**Section 3. Transmittal.** The Town Clerk is hereby directed to transmit a copy of this Resolution to the State of Florida Governor Rick Scott, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and the Florida Department of Environmental Protection.

**Section 4. Authorization.** The Town Manager is hereby authorized to take any and all steps necessary to implement the intent and purpose of this Resolution.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED and ADOPTED this \_\_\_\_ day of January, 2016.

\_\_\_\_\_  
PEGGY R. BELL  
Mayor

Attest:

\_\_\_\_\_  
JACQUELINE N. WILSON  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

Moved by: \_\_\_\_\_  
Second by: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell \_\_\_\_\_

Vice Mayor Ernest N. Sochin \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_

Council Member Sue Ellen Loyzelle \_\_\_\_\_

Council Member Mary Ann Mixon \_\_\_\_\_