

RESOLUTION NO. 17-__

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL
OF THE TOWN OF CUTLER BAY, FLORIDA,
APPROVING THE FIVE (5) YEAR INTERLOCAL
AGREEMENT BETWEEN THE TOWN OF CUTLER BAY
AND THE MIAMI-DADE COUNTY STORMWATER
UTILITY FOR STORMWATER MANAGEMENT;
AUTHORIZING THE TOWN MANAGER TO EXECUTE
THE AGREEMENT; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Section 403.0893, Florida Statutes, authorizes the establishment of stormwater utilities to plan, construct, operate and maintain stormwater management systems; and

WHEREAS, the Miami-Dade County Board of County Commissioners, by adoption of Miami-Dade County Ordinances No. 91-66 and Ordinance No. 91-120, amended by Ordinance Nos. 92-44 and 92-86, created a stormwater utility (hereinafter referred to as the “Utility”), and which Utility may operate within a municipality or municipalities; and

WHEREAS, it is the intent to renew the Interlocal Agreement of the Utility and the Town through this Agreement attached as Exhibit “A”; and

WHEREAS, the Utility and the Town recognize that there are operating costs, as well as benefits, associated with maintaining shared stormwater drainage systems; and

WHEREAS, the Utility and the Town want to share these costs in proportion to the drainage area that service is provided and the benefits received; and

WHEREAS, the Town Council finds that 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. Authorization. The Town Manager is hereby authorized to execute the Five (5) Year Interlocal Agreement between the Town of Cutler Bay and the Miami-Dade County Stormwater Utility for Stormwater Management, in substantially the form attached hereto in Exhibit “A”.

Section 3. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this ____ day of June, 2017.

Attest:

PEGGY R. BELL
Mayor

DEBRA E. EASTMAN, MMC
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: _____

Seconded By: _____

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell _____

Vice Mayor Sue Ellen Loyzelle _____

Council Member Mary Ann Mixon _____

Council Member Michael P. Callahan _____

Council Member Roger Coriat _____