

RESOLUTION NO. 05-88-265

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, REQUESTING THAT PURSUANT TO SECTION 24-51 OF THE MIAMI-DADE COUNTY CODE, THAT THE BOARD OF COUNTY COMMISSIONERS EXEMPT THE CITY FROM INCLUSION IN THE COUNTY'S STORMWATER UTILITY; COMMITTING TO ESTABLISH A STORMWATER UTILITY WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY IN ACCORDANCE WITH SECTION 403.0893(1)(2), OR (3), FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AN INTERLOCAL AGREEMENT WITH THE COUNTY FOR THE COLLECTION OF THE CITY'S STORM WATER UTILITY FEES; AUTHORIZING THE CITY CLERK TO SEND COPIES OF THIS RESOLUTION TO THE APPROPRIATE OFFICIALS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City is currently part of the Miami-Dade County Stormwater Utility (the "Utility"); and

WHEREAS, pursuant to Section 24-51, et seq., of the County Code, the City may request that the Board of County Commissioners exempt the City from the provisions of Section 24-51, et. seq., and

WHEREAS, the City Manager recommends that the City request that the County exempt the City from the Utility, commit to implement the provisions of Section 403.0893(1), (2) or (3), Florida Statutes, by creating a stormwater utility, and adopt stormwater utility fees sufficient to plan, construct, operate and maintain a stormwater management system; and

WHEREAS, the City's engineers are preparing a stormwater master plan and as part of the plan, the City Council intends on establishing a stormwater utility within the municipal boundaries of the City,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF

THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations. The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Request. The City of Miami Gardens requests that the Miami-Dade County Board of County Commissioners exempt the City from the provision of Section 24-51, e. seq.

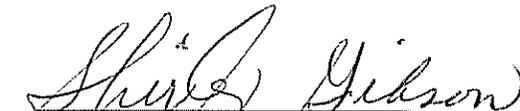
Section 3. Commitment. The City of Miami Gardens commits to implement the applicable provisions of Section 403.0893(1), (2) or (3), Florida Statutes, to create and fund a stormwater utility within the municipal boundaries of the City of Miami Gardens.

Section 4. Authorization. The City Manager is authorized to negotiate with the County an Interlocal Agreement for the collection of City's stormwater utility fees.

Section 5. Clerk's Notification. The City Clerk is directed to file a certified copy of this Resolution with the Clerk of the Board of County Commissioners and the Director of **DERM**.

Section 6. Effective Date: This Resolution shall be effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JUNE 22, 2005.


SHIRLEY GIBSON, MAYOR

ATTEST:



RONETTA TAYLOR CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:
Reviewed by Sonja K. Dickens, City Attorney

SPONSORED BY: City Manager Dr. Danny O. Crew

MOVED BY: Mayor Gibson
SECONDED BY: Councilman Bratton

VOTE: 4-0

Mayor Gibson	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Vice Mayor Campbell	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Melvin L. Bratton	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilman Oscar Braynon, II	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilwoman Audrey J. King	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Not present
Councilwoman Sharon Pritchett	<input checked="" type="checkbox"/> (Yes)	<input type="checkbox"/> (No)
Councilwoman Barbara Watson	<input type="checkbox"/> (Yes)	<input type="checkbox"/> (No) Out of town