

**RESOLUTION NO. 2017-177**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED MULTI-AGENCY INTERLOCAL AGREEMENT TO SHARE THE RESOURCE BURDENS OF THE SYSTEM-WIDE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT; AUTHORIZING BROWARD COUNTY TO CONDUCT SPECIFIC TECHNICAL ACTIVITIES REQUIRED BY THE FOURTH FIVE-YEAR PERMIT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the United States Environmental Protection Agency (EPA), by way of the Water Quality Act of 1987, requires counties and associated municipalities to comply with applicable conditions of the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Program; and

**WHEREAS**, the EPA has recommended that Broward County (County) act as the “lead permittee” and associated municipalities act as “co-permittees;” and

**WHEREAS**, the EPA has authorized the Florida Department of Environmental Protection (DEP) to establish a state-run NPDES Program; and

**WHEREAS**, the Florida DEP issued the fourth five-year cycle of these permits on January 4, 2017; and

**WHEREAS**, the County and City have executed previous Interlocal Agreements for the past three five-year cycles of the permit; and

**WHEREAS**, the County has technical expertise and resources to supplement City resources in satisfying permit regulations regarding management of certain technical tasks necessary to determine compliance with applicable portions of the NPDES MS4 Permit; and

**WHEREAS**, the City of Coconut Creek wishes to enter into this Agreement to provide cooperation between the City and the County.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution. All Exhibits attached hereto are incorporated herein and made a specific part of this Resolution.

**Section 2:** That the City Commission has reviewed and hereby approves the attached Multi-agency Interlocal Agreement for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Program.

**Section 3:** That the Mayor and the City Manager, or designee, are hereby authorized to execute the Multi-agency Interlocal Agreement for the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Program.

**Section 4:** That Broward County is hereby authorized to conduct specific technical activities required by the fourth five-year permit, as set forth in the attached Multi-Agency Interlocal Agreement.

**Section 5:** That if any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this Resolution.

**Section 6:** That this Resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 10<sup>th</sup> day of August, 2017.**

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Rebecca A. Tooley, Mayor

Attest:

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Leslie Wallace May, City Clerk

Tooley       Aye  

Rydell       Aye  

Sarbone     Aye  

Belvedere   Aye  

Welch       Aye