

RESOLUTION NO. 2023 – 4126

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, APPROVING A CONSENT ORDER WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) RELATING TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER PERMIT NO. FLS000003; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 403.0885, Florida Statutes, on June 21, 2011, the Florida Department of Environmental Protection (“FDEP”) issued National Pollutant Discharge Elimination System (“NPDES”) Permit No. FLS000003 (“Permit”) to Miami-Dade County and the co-permittees named in the NPDES Permit (“Co-permittees”); and

WHEREAS, as one of the Co-permittees, the City of Miami Springs (the “City”) is required to comply with the requirements of the NPDES Permit; and

WHEREAS, as a Co-permittee, the City must also periodically complete a permit reapplication review; and

WHEREAS, during the most recent NPDES Permit reapplication review process, FDEP audited the City and advised the City of certain alleged NPDES Permit compliance deficiencies; and

WHEREAS, the City promptly and diligently worked to address FDEP’s allegations; and

WHEREAS, FDEP has provided the Consent Order (the “Consent Order”) attached hereto as Exhibit “A” for the City’s execution; and

WHEREAS, the City Council desires to approve the Consent Order and authorize the City Manager to execute the Consent Order in substantially the form attached hereto as Exhibit “A”; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by reference.

Section 2. Approval. That the City Council hereby approves the Consent Order with FDEP.

Section 3. Authorization. That the City Council hereby authorizes the City Manager to execute the Consent Order in substantially the form attached hereto as Exhibit "A," subject to the approval of the City Attorney as to form, content, and legal sufficiency, and take all actions necessary to implement the purposes of this Resolution and the Consent Order.

Section 4. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Councilman Vazquez who moved its adoption. The motion was seconded by Councilwoman Bravo and upon being put to a vote, the vote was as follows:

Vice Mayor Jorge Santin	<u>YES</u>
Councilmember Jacky Bravo	<u>YES</u>
Councilmember Dr. Walter Fajet, Ph.D.	<u>YES</u>
Councilmember Dr. Victor Vazquez, Ph.D.	<u>YES</u>
Mayor Maria Puente Mitchell	<u>YES</u>

PASSED AND ADOPTED this 25th day of September, 2023.



MARIA PUENTE MITCHELL
MAYOR

ATTEST:



ERIKA GONZALEZ, MMC
CITY CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF MIAMI SPRINGS ONLY:



WEISS SEROTA HELFMAN COLE & BIERSMAN, P.L.
CITY ATTORNEY