

RESOLUTION NO. 2013-

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A DONATION OF \$10,000 TO BISCAYNE BAY WATER KEEPER, INC.; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Village of Key Biscayne (the “Village”) is extremely concerned with the potential adverse effects that the leaking Miami-Dade County (the “County”) sewage treatment plant (the “Plant”) on Virginia Key may have on the quality of the water within Biscayne Bay and along the Village’s beaches; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) has recently sued the County for violations of the Clean Water Act relating to the leaks at the Plant; and

WHEREAS, the County is working with the EPA and the U.S. Justice Department to resolve this lawsuit, which includes potentially \$550 million in repairs at the Plant; and

WHEREAS, the Village Council is concerned that the proposed repairs may bring the Plant into compliance with current standards, but would not go far enough to protect against hurricane damage or rising seawater levels; and

WHEREAS, the Village Council has discussed potentially hiring a consultant to advise the Village as to the benefits and shortcomings of the County’s proposal; and

WHEREAS, it has come to the attention of the Village Council that a not-for-profit organization called the Biscayne Bay Waterkeeper Inc. (the “BBWK”), whose purpose is to protect, conserve and improve the water quality in the Biscayne Bay watershed, has hired experts to study the County’s proposal for the repair of the Plant; and

WHEREAS, the Village Council would like to benefit from the data collected and opinions rendered from the BBWK expert reports; and

WHEREAS, as such, the Village Council desires to donate \$10,000 to BBWK to help offset some of their costs relating to the hiring of experts and preparation of related reports; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:

Section 1. **Recitals Adopted.** Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. **Donation Approved.** The Village Council hereby approves a donation of \$10,000 to BBWK in order to help offset some of their costs in the hiring of experts and preparation of reports relating to the Plant.

Section 3. **Village Manager Authorized.** The Village Manager is hereby authorized to take any and all steps necessary to implement the intent and purpose of this Resolution.

Section 4. **Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of _____, 2013.

MAYOR FRANKLIN H. CAPLAN

ATTEST:

CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

VILLAGE ATTORNEY