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RESOLUTION NO. R2016-78

**A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL
APPROVING AND AUTHORIZING THE MAYOR AND
CLERK TO EXECUTE THE NPDES FOURTH CYCLE
PERMIT INTERLOCAL AGREEMENT WITH NORTHERN
PALM BEACH COUNTY IMPROVEMENT DISTRICT, THE
LEAD PERMITTEE; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969", authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Northern Palm Beach County Improvement District ("District") is an independent special district of the State of Florida, operating in accordance with the provisions of Chapter 2000-467, Laws of Florida, as amended and supplemented, and applicable provisions of Chapter 298, Florida Statutes; and

WHEREAS, the District is the lead Co-Permittee for the Palm Beach County NPDES program; and

WHEREAS, the Village of Wellington is one of the Co-Permittees with the District in regard to the subject Palm Beach County NPDES program; and

WHEREAS, the NPDES Permit authorizes certain activities to be conducted through cooperative efforts via interlocal agreements; and

WHEREAS, Northern Palm Beach County Improvement District and the Acme Improvement District entered into an Interlocal Agreement dated September 24, 1997, and Northern Palm Beach County Improvement District and Wellington entered into a First Amendment for Extension of Term of NPDES Interlocal Agreement dated August 28, 2002, regarding a National Pollutant Discharge Elimination System Permit No. FLS 000018, a Second Term Extension dated March 18, 2003, and a Third Term Permit Interlocal Agreement dated April 26, 2011; and

WHEREAS, the Village of Wellington and the District wish to enter into an Interlocal Agreement which sets forth each party's respective duties and obligations pertaining to the Palm Beach County NPDES program; and

WHEREAS, such Interlocal Agreement has been prepared and is attached hereto as Exhibit "A".

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2 **NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S**
3 **COUNCIL** that:

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5 **SECTION 1.** The foregoing recitals are hereby affirmed and ratified as being true
6 and correct.

7
8 **SECTION 2.** The Wellington Council hereby accepts and approves the NPDES
9 Fourth Cycle Permit Interlocal Agreement with the Northern Palm Beach County
10 Improvement District and hereby authorizes the Mayor and Clerk to execute the
11 Agreement.

12
13 **SECTION 3.** This Resolution shall become effective immediately upon adoption.

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15 **PASSED AND ADOPTED** this 13th day of December, 2016.

16
17 **ATTEST:**

WELLINGTON

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19
20 By: _____
21 Rachel R. Callovi, Wellington Clerk

By: _____
Anne Gerwig, Mayor

22
23 **APPROVED AS TO FORM**
24 **AND LEGAL SUFFICIENCY**

25
26
27 By: _____
28 Laurie Cohen, Attorney for Wellington