

**RESOLUTION 3-2012**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, SUPPORTING THE FLORIDA LEAGUE OF CITIES ADVOCACY FOR LEGISLATURE TO RATIFY THE FDEP VERSION OF NUMERIC NUTRIENT CRITERIA; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** the federal government has established water quality standards for Florida's water bodies that will go into effect July, 2012; and

**WHEREAS,** the State has established its own version of numeric nutrient criteria as approved by the Florida Environmental Regulation Commission (ERC); and

**WHEREAS,** the Florida Legislature must ratify the State program pursuant to a 2010 bill, HB 1565; and

**WHEREAS,** should EPA agree with the proposed State standards it would rescind its federal standards and allow Florida to implement its program without interference

**WHEREAS,** the Town of Malabar is supporting the Florida League of Cities support of the Florida Legislature to ratify the State standards.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA as follows:**

**Section 1.** The above stated Whereas clauses are true and correct and are hereby ratified and confirmed.

**Section 2.** That the Town of Malabar hereby requests the Florida Legislature to ratify the proposed State standards for numeric nutrient criteria.

**Section 3.** That the Malabar Clerk is directed to transmit a copy of this resolution to Governor Rick Scott, the Florida Legislature, and the Florida League of Cities, Inc.

**Section 4.** That this resolution shall be effective upon adoption.

This Resolution was moved for adoption by Council Member Rivet. The motion was seconded by Council Member Acquaviva and, upon being put to a vote, the vote was as follows:

Council Member Carl Beatty	<u>Aye</u>
Council Member David White	<u>Excused</u>
Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>

Council Member Marisa Acquaviva

Aye

This Resolution was then declared to be duly passed and adopted this 6th day of February, 2012.

**TOWN OF MALABAR**

By:

Thomas M. Eschenberg  
Mayor Thomas M. Eschenberg, Chair

ATTEST:

Debby K. Franklin  
Debby K. Franklin, CMC  
Town Clerk/Treasurer

(seal)

Approved as to form and content:

Karl W. Bohne, Jr.  
Karl W. Bohne, Jr., Town Attorney