BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 17-2020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, DIRECTING THE CITY ATTORNEY TO FILE A CAUSE OF ACTION AGAINST THE ARMY CORPS OF ENGINEERS TO SEEK RELIEF FROM SUMMER DISCHARGES INTO THE ESTUARY, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission believes that it is in the best interest of the residents of Stuart that it file a legal challenge against the Army Corps of Engineers to address the Lake Okeechobee Discharge schedule; and

WHEREAS, Commissioner Matheson has explained to Commission that the current operational schedule for Lake Okeechobee will result in toxic discharges during the summer months and the only way to prevent the irreparable harm is to file suit against the Army Corps of Engineers to prevent same from occurring.

WHEREAS, the City Commissioners believe it is in the best interests of the residents of Stuart to seek legal intervention and encourage the Army Corps of Engineers to use its Additional Operational Flexibility to take the necessary steps to lower the current lake levels so that the Lake is

below 11 feet above sea level on June 1, 2020 in order to prevent the toxic, algae discharges during the late summer months.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS FOLLOWS:

SECTION 1: The foregoing precatory language is incorporated herein, as if set forth below.

SECTION 2: The City Commission of the City of Stuart, Florida hereby directs the City Attorney to pursue a lawsuit against the Army Corps of Engineers and relevant defendants necessary to seek redress for the Lake Schedule and obtain relief from the toxic discharges.

SECTION 3: Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
KELLI GLASS LEIGHTON,COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				
REBECCA S. BRUNER, COMMISSIONER				

ADOPTED this 27th day of January, 2020

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
MICHAEL J. MEIER
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL MORTELL
CITY ATTORNEY