



## CITY COMMISSION STAFF REPORT

**DEPARTMENT:** Utilities Department

**DATE:** 6/9/2026

**SUBJECT:** Approval of an Interlocal Agreement (ILA) between the City of Cooper City and Broward County for the Implementation of National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System(MS4) Permit Activities for Stormwater Management.

**CITY MANAGER RECOMMENDATION:**

The City Manager recommends that the Commission approve the ILA between the City and the County for the implementation of NPDES MS4 permit activities for stormwater management.

**BACKGROUND OF ITEM:**

The United States Environmental Protection Agency, under the Federal Water Pollution Control Act, also known as the Clean Water Act, and related regulations, requires local governments to comply with the NPDES MS4 Permit Program. The State of Florida has delegated authority to administer the NPDES program through the Florida Department of Environmental Protection, which implements the program through Chapter 62-624, Florida Administrative Code.

The county serves as the lead permittee for the system-wide NPDES MS4 Permit, with participating municipalities, including our city, serving as co-permittees. The County, through its Public Works and Environmental Services Department, coordinates and conducts specific technical activities required by the NPDES MS4 Permit.

The city and other participating municipalities have previously entered into interlocal agreements with Broward County to share resource burdens and facilitate compliance with NPDES MS4 Permit requirements. Prior agreements were executed in 1996, 1998, 2004, 2013, and 2017.

**ANALYSIS:**

The proposed ILA is entered into pursuant to Section 163.01, Florida Statutes, known as the Florida Interlocal Cooperation Act of 1969. The Agreement authorizes the County to coordinate the co-permittees and perform technical activities required under the system-wide NPDES MS4 Permit.

The Scope of Services includes the following stormwater permit compliance activities:

- Inspecting and maintaining stormwater drainage systems, including structures, collection systems, and roadway drainage features.
- Supporting roadway-related stormwater programs, including litter control, street sweeping, roadway maintenance, and proper disposal of collected materials.
- Reviewing new development and redevelopment projects to make sure stormwater quality is considered during planning, permitting, and construction.
- Reviewing City codes and land development regulations to identify ways to reduce stormwater impacts from future development.
- Supporting pollution prevention programs for municipal facilities, pesticides, herbicides, fertilizers, and Florida-Friendly Landscaping practices.
- Helping identify and address illicit discharges, illegal dumping, spills, and other improper connections or discharges into the stormwater system.
- Providing public education and outreach on stormwater pollution prevention, proper disposal of household hazardous waste, and reporting suspected stormwater issues.
- Inspecting high-risk facilities and industrial areas that may discharge pollutants into the stormwater system.
- Supporting construction site runoff controls, including plan review, inspections, enforcement procedures, and training for staff and contractors.
- Conducting monitoring and reporting activities, including pollutant loading calculations, water quality monitoring, and annual reporting to regulatory agencies.
- Supporting compliance with impaired water body requirements, including Total Maximum Daily Load requirements and bacteria pollution control planning when required.

Under the Agreement, the parties are responsible for performing the services identified in the scope of services, including work necessary to meet applicable federal, state, and local laws, ordinances, codes, rules, and regulations. The Agreement also allows the scope of services to be amended, if necessary, to comply with revised NPDES MS4 permit conditions imposed upon permit renewal.

The ILA provides for a five-year term beginning on the date the Agreement is recorded, unless earlier terminated in accordance with this Agreement. It also includes provisions addressing compensation, public records, governmental powers retained by the municipalities, insurance, sovereign immunity, and other standard intergovernmental terms.

**PROCUREMENT:**

Not Applicable – Municipal Interlocal Agreement

**FISCAL IMPACT:**

The new agreement is a decrease from the current fees of \$15,000 per year. The City's annual payment is part of its stormwater compliance obligations. The payment schedule for Cooper City is as follows:

<b>Fiscal Year</b>	<b>Payment Due Date</b>	<b>Amount</b>
FY 2026–2027	November 30, 2026	\$10,157
FY 2027–2028	November 30, 2027	\$10,411
FY 2028–2029	November 30, 2028	\$10,671
FY 2029–2030	November 30, 2029	\$10,938
FY 2030–2031	November 30, 2030	\$11,212

The total fiscal impact to the City over the five-year term is **\$53,389**. These costs will be included in the Utilities Department’s annual budget for the applicable fiscal years.

This will not impact The FY2026 Budget but The FY2027 Budget will look something like this as we also receive regulatory fees from The Florida Department of Environmental Protection.

<u><b>General Ledger Acct. Number</b></u>	<u><b>Budgeted Amount</b></u>	<u><b>Requested Amount</b></u>	<u><b>Remaining Amount</b></u>
440-315-531325-538 Fees - Regulatory	\$15,000	\$10,157	\$4,843

**ATTACHMENTS:**

- 1. NPDES ILA Final Draft with Tracked Changes**