

OCT 15 1984

ORANGE COUNTY RESOLUTION NO. 84-SW-17

A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS TO REPRESENT THE INTERESTS OF THE CITIZENS OF ORANGE COUNTY IN ALL PROCEEDINGS RELATING TO OR ARISING OUT OF THE ISSUANCE OR DENIAL OF A WATER TREATMENT PLANT CONSTRUCTION PERMIT BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION FOR THE CONSTRUCTION OF A WATER TREATMENT PLANT TO SERVE THE MEADOW WOODS PLANNED DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PAST ACTIONS; PROVIDING AN EFFECTIVE DATE.

RECITALS

1. The Florida Department of Environmental Regulations issued a Letter of Intent to Issue a Construction Permit to Community Developers of Orange County, Inc., and Thomas Franklin for the construction of a water treatment plant to serve Phases B and C of the Meadow Woods Planned Development.

2. The Board has determined that the proposed issuance of this permit will violate the Orange County Growth Management Policy, could potentially reduce the County's water service area, allow an unlicensed, uncertified entity to construct a water system and operate a utility to the harm and detriment of a substantial number of citizens of Orange County, Florida, diminish the County's authority and duty to enforce the terms, conditions, and provisions of applicable development orders, amendments thereto, the Orange County Growth Management Policy, and other applicable County regulations, and harm the County's ability to interconnect existing County water systems to provide emergency fire protection and adequate backup water service for abandoned EDB-contaminated wells to its customers and residents of Orange County, Florida.

3. The Board has determined that a significant number of residents of Orange County will be substantially affected by the issuance of said permit.

4. The Board has previously authorized the filing of a Petition for Formal Hearing pursuant to Chapter 120, Fla. Stat., and wishes now to reaffirm its opposition to the issuance of said permit.

ACCORDINGLY, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

SECTION 1. DESIGNATION OF REPRESENTATIVE. By emergency ordinance adopted by the Board of County Commissioners on January 9, 1981 (Orange County Ordinance No. 81-1), the Board of County Commissioners appointed the Chairman of the Board of County Commissioners to represent the interests of the citizens of Orange County in any and all proceedings relating to or arising out of any rules, orders, regulations, or other agency actions proposed, adopted, or promulgated by any agency pursuant to Ch. 120, Fla. Stat. Pursuant to said ordinance, the Board


hereby authorizes the Chairman to represents its interests and the interests of the residents of Orange County, Florida, in any and all proceedings, including appeals and ancillary proceedings, relating to or arising out of the proposed issuance or denial of a water treatment plant construction permit for the construction of a water treatment plant to service Phases B and C of the Meadow Woods Planned Development.

SECTION 2. SEVERABILITY. If any part of this Resolution is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of the Resolution if the rights and obligations of the parties contained therein are not materially prejudiced and if the intentions of the parties can continue to be effected. To that end, this Resolution is declared severable.

SECTION 3. RATIFICATION. The Board hereby reaffirms and ratifies the Petition for Formal Hearing previously filed by its attorneys on August 27, 1984, and any other pleadings, motions, or other documents or actions taken by its staff and attorneys prior to the adoption of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption.

RESOLVED THIS 15TH DAY OF OCTOBER, 1984.

  
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Chairman, Board of County  
Commissioners of Orange County

ATTEST:

By: Dorothy E Lambert  
Asst. Deputy Clerk to Board  
of County Commissioners