

FEB 11 1985

ORANGE COUNTY RESOLUTION NO. 85-SW-04

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA; PROVIDING LEGISLATIVE DETERMINATIONS NECESSARY TO ALLOCATE SEWER SERVICE CAPACITY WITHIN THE EASTERN WASTEWATER SERVICE AREA; AUTHORIZING THE ACCEPTANCE OF LETTERS OF CREDIT; ADOPTING AN ACCEPTABLE FORM FOR THE LETTER OF CREDIT; PROVIDING AN ECONOMIC IMPACT DETERMINATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

RECITALS

1. The Board of County Commissioners of Orange County allocate sewer service capacity within the Eastern Wastewater Service Area pursuant to the Eastern Wastewater Service Area Allocation Rules (hereafter "EWSAAR").

2. The Board has determined that it has available sewer service capacity to allocate within the Eastern Wastewater Service Area.

3. The ESWAAR requires the adoption of a resolution to implement certain terms and conditions of the allocation of this sewer service capacity within the Eastern Wastewater Service Area.

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

Section 1. Legislative Determination by the Board.

In its legislative, governmental capacity, the Board hereby makes the following findings and determinations:

(1) The Board hereby determines pursuant to Section 5, EWSAAR, that one (1,000,000) million gallons per day of sewer service capacity (hereafter "total capacity") is available for allocation and sale within the Eastern Wastewater Service Area as expanded pursuant to Section 2 of Orange County Resolution No. 84-SW-13 adopted September 24, 1984.

(2) The Board hereby determines that it is unnecessary to set aside any portion of the total capacity pursuant to subsections 5(a) and 5(c), EWSAAR.

Section 2. Designation of March Allocation Day. The Board hereby designates March 13, 1985, as an allocation day pursuant to Section 4, EWSAAR, and authorizes and directs the Clerk to the Board to publish notice of said allocation day in a newspaper of general circulation in the county in accordance with Section 4, EWSAAR. Pursuant to Section 5, EWSAAR, the Board hereby authorizes appropriate County staff to make available for allocation on said allocation day one (1,000,000) million gallons per day of sewer service capacity to owners (or authorized agents thereof) of property within the Eastern Wastewater Service Area as expanded pursuant to Section 2, Orange County Resolution No. 84-SW-13, dated September 24, 1984.

Section 3. Letters of Credit. Pursuant to Section 2 and 3, EWSAAR, the Board hereby authorizes the receipt of letters of credit in lieu of cash payment from applicants on said allocation day specified in Section 2 hereof. The Board hereby adopts the form attached to and incorporated in Orange County Resolution No. 84-SW-13 as Exhibit "B" thereof as the form of the letter of credit to be submitted to the County. Minor modifications in the form may be permitted subject to the review and approval of the Director of the Public Utilities Division.

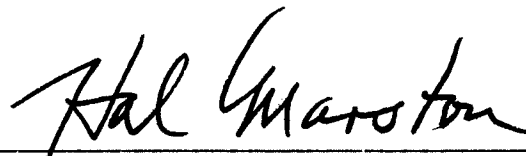
Section 4. Economic Impact Determination. The Board does hereby determine and find, pursuant to Section 1-27(2)(b), Orange County Code, that sufficient information has been provided

for the Board to access the economic impact of this resolution on the development of real property in Orange County. The Board does hereby determine and find that no further economic impact statement or economic impact information is required in this matter.

Section 5. Severability. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are declared severable.


Section 6. Effective Date. This resolution shall take effect immediately upon adoption.

RESOLVED THIS 11th DAY OF FEBRUARY, 1985.



Chairman, Board of County Commissioners  
of Orange County

ATTEST:



Deputy Clerk to the Board of  
County Commissioners