

SEP 11 1989

RESOLUTION NO. 89-SW-15

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS PROVIDING LEGISLATIVE DETER-
4 MINATIONS NECESSARY TO ALLOCATE PHASE IV
5 SEWER SERVICE CAPACITY WITHIN THE EASTERN
6 WASTEWATER SERVICE AREA; ENLARGING SERVICE
7 AREA; DESIGNATING SALE DATE; PROVIDING AN
8 ECONOMIC IMPACT DETERMINATION; PROVIDING
9 FOR SEVERABILITY; PROVIDING AN EFFECTIVE
10 DATE.

7 PREMISES

8 1. The Board of County Commissioners allocates sewer
9 service capacity within the Eastern Wastewater Service Area
10 pursuant to the Eastern Wastewater Service Area Allocation
11 Rules (hereinafter "EWSAAR").

12 2. The Board had previously sold Eastern Phase IV
13 capacity on June 27, 1989 and not all capacity was sold.
14 Additional Phase IV treatment capacity was permitted beyond
15 the amount offered on September 20, 1988.

16 3. The Board had determined that it has available
17 Phase IV sewer service capacity to allocate within the
18 Eastern Wastewater Service Area.

19 4. Capacity release for this sale expected on the
20 Allocation Day . Capacity to individual properties may be
21 delayed until adequate wastewater transmission facilities are
22 available.

23 5. The EWSAAR requires the adoption of a resolution to
24 implement certain terms and conditions of the allocations for
25 this sewer service capacity within the Eastern Wastewater
26 Service Area.

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

29 Section 1. Legislative Determination by the Board. In
30 its legislative, governmental capacity, the Board hereby
31 makes the following findings and determinations:

32 (1) The Board hereby determines pursuant to Section 5,
33 EWSAAR, that one million, sixty-seven thousand, five
34 hundred forty gallons per day (1,067,540 gpd) is avail-
35 able for allocation and sale within the Eastern Waste-
36 water Service Area.

1 (2) The Board had previously set aside one hundred
2 fifty thousand gallons per day (150,000 gpd) of said
3 total capacity pursuant to Subsection 5(a) of EWSAAR.
4 The Board hereby determines that no further additional
5 allocation of this capacity beyond 150,000 is needed at
6 this time.

7 Section 2. Service Area Enlargement. The Board hereby
8 declares the Eastern Wastewater Service Area to include those
9 lands depicted as eligible for capacity sales in the map
10 attached hereto and incorporated in this resolution as
11 Exhibit "A".

12 Section 3. Designation of November Allocation Day. The
13 Board hereby designates November 1, 1989 between the hours of
14 9:00 A.M. to 5:00 P.M. as an allocation day pursuant to
15 Section 4, EWSAAR, and authorizes and directs the Clerk to
16 the Board to publish a notice of said Allocation Day in a
17 newspaper of general circulation in the County in accordance
18 with Section 4, EWSAAR. Pursuant to Section 5, EWSAAR, the
19 Board hereby authorizes the appropriate County staff to make
20 available for allocation on said day one million, sixty-seven
21 thousand, five hundred and forty gallons per day (1,067,540
22 gpd) of sewer service capacity to owners (or authorized
23 agents thereof) of property within the Eastern Wastewater
24 Service Area as expanded pursuant to Section 2 in this
25 Resolution as Exhibit "A".

26 Section 3. Economic Impact Determination. The Board does
27 hereby determine and find, pursuant to Section 1-27 (2)(b),
28 Orange County Code, that sufficient information has been pro-
29 vided for the Board to assess the economic impact of this
30 resolution on the development of real property in Orange
31 County. The Board does hereby determine and find that no
32 further economic impact statement or economic impact inform-
33 ation is required in this matter.

34 Section 4. Severability. If any provision of this
35 resolution or the application thereof to any person or
36

1 circumstance is held invalid, the invalidity shall not affect
2 other provisions or applications of this resolution which can
3 be given effect without the invalid provision or application,
4 and to this end the provisions of this resolution are
5 declared severable.

6 Section 5. Effective Date. This resolution shall take
7 effect immediately upon adoption.

8 ADOPTED THIS 11th DAY OF September, 1989.

9
10 ORANGE COUNTY, FLORIDA

11
12 By: *Fal Guerton*
13 VICE Chairman, Board
14 of County Commissioners

15 ATTEST: MARTHA O. HAYNIE, Clerk
16 to the Board of County Commissioners

17 By: *Mary J. Garrison*
18 Deputy Clerk

