

RESOLUTION NO. 26-\_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, ACTING IN ITS CAPACITY AS THE GOVERNING BODY OF THE BAREFOOT BAY WATER AND SEWER DISTRICT, PURSUANT TO SECTION 153.60, FLORIDA STATUTES, AND BREVARD COUNTY CODE SECTION 98-182, AUTHORIZING THE DONATION AND CONVEYANCE OF CERTAIN REAL PROPERTY INTERESTS TO THE COUNTY PURSUANT TO SECTIONS 153.60 AND 153.62, FLORIDA STATUTES, FOR CONSTRUCTION OF A NEW ADVANCED WASTEWATER AND WATER TREATMENT FACILITY; AND PROVIDING AN EFFECTIVE DATE.**

RECITALS

**WHEREAS**, on the 23<sup>rd</sup> day of March, 1999, the Brevard County Board of County Commissioners (hereinafter the "BOARD") adopted, in regular session, Ordinance No. 99-17, in accordance with Section 189.4041, Florida Statutes (now Section 189.02, Florida Statutes), creating the dependent special district known as the Barefoot Bay Water and Sewer District, a dependent special district of Brevard County, Florida, whose mailing address is 931 Barefoot Boulevard, Suite #2, Barefoot Bay, Florida 32976 (hereinafter the "DISTRICT").

**WHEREAS**, the governing body of the DISTRICT is the BOARD, as per Brevard County Code Section 98-182, and pursuant to statute under Section 153.60, Florida Statutes, which provides that the board of county commissioners of the county in which a water and sewer district is created shall be the ex officio governing board of such district.

**WHEREAS**, the Brevard County Utilities Department (hereinafter the "DEPARTMENT") oversees the operations, finances, and investments of the DISTRICT on behalf of Brevard County; and

**WHEREAS**, the DISTRICT owns that certain real property described in the Exhibit "A" attached hereto; and

**WHEREAS**, the DEPARTMENT is in the process of designing a new Advanced Water and Wastewater Treatment Plant, which will be better able to comply with current state and federal environmental laws and regulations, and which will eventually replace the existing Water and Wastewater Treatment Plant located within the DISTRICT; and

**WHEREAS**, the DEPARTMENT has requested that the DISTRICT donate and convey those certain lands described in Exhibit "A" for the purpose of facilitating the construction and implementation of the new Advanced Water and Wastewater Treatment Plant; and

**WHEREAS**, the Advanced Water and Wastewater Treatment Plant project will not only provide a benefit to the Barefoot Bay District, but will also provide a benefit to the remaining

Brevard County utility service area for the region known as the South Brevard Utility Service Area; and

**WHEREAS**, the DISTRICT can acquire and convey such real property and personal property and interests therein as may be necessary or proper to carry out the purposes of the DISTRICT, or otherwise acquire, hold, or dispose of all real and personal property under its control pursuant to Florida Statutes, Sections 153.60 and 153.62; and

**WHEREAS**, the proposed conveyance of real property will have no effect on any outstanding bond issues or other debt issued by the DISTRICT; and

**WHEREAS**, the BOARD finds that the conveyance of the real property described in the attached Exhibit "A" will allow the County to proceed with the new Advanced Water and Wastewater Treatment Plant project, and thereby serves a public purpose, is in the public interest, and is necessary and convenient to provide for the public health, safety, and welfare.

**NOW, THEREFORE**, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA that:

1. The recitals above are true and correct and incorporated herein and adopted as part of this resolution.
2. The donation of the DISTRICT's real property interests to Brevard County, as described in Exhibit "A", is necessary, will serve a public purpose, and is in the best interest of the public health, safety, and welfare.
3. The BOARD authorizes the Chair to sign any and all documents necessary to effectuate the transfer and conveyance of all of the DISTRICT's right, title, and interest to said real property described in Exhibit "A" to Brevard County.
4. This Resolution shall take effect immediately upon its adoption.

**DONE, ORDERED, and ADOPTED** in Regular Session this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Rachel M. Sadoff, Clerk

BY: \_\_\_\_\_  
Thad Altman, Chair

As approved by the Board on \_\_\_\_\_