

RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, APPROVING THE WEST COCOA WASTEWATER FACILITY PLAN (2019) AS REQUIRED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, local government agencies are allowed under the general laws of Florida to apply for public loans through the State of Florida in order to finance the construction of wastewater treatment facility expansion and improvements; and

WHEREAS, the administrative regulations of the Florida Department of Environmental Protection ("FDEP"), the state agency that oversees the State Revolving Fund Program, requires the Board of County Commissioners, as the local governing body of Brevard County, to formally approve a West Cocoa Wastewater Facility Plan describing the West Cocoa Wastewater Collection and Transmission System Improvements project in order to comply with the funding requirements of the State of Florida; and

WHEREAS, formal approval of a West Cocoa Wastewater Facility Plan is required in order for Brevard County to participate in the State Revolving Fund Program; and

WHEREAS, the Florida Department of Environmental Protection requires a public hearing in conjunction with the adoption of the West Cocoa Wastewater Facility Plan; and

WHEREAS, the Board of County Commissioners of Brevard County has held such public hearing on May 5, 2020; and

WHEREAS, there does not appear to be significant public objection to the Plan as presented at the public hearing; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, desires to formally approve the West Cocoa Wastewater Facility Plan (2019), a copy being attached hereto and incorporated herein by reference, and desires to make certain improvements to its wastewater system as more fully described in the said plan; and

WHEREAS, the Board of County Commissioners of Brevard County, Florida, concurs with the findings and summary of necessary improvements that are described in the Facility Plan for the purpose of wastewater system improvements.

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

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. The Board of Commissioners of the Brevard County, Florida, is authorized to approve, and does hereby approve, the West Cocoa Wastewater Facility Plan (2019), a copy being attached hereto and incorporated herein by reference. The said Facility Plan is approved pursuant to the State Revolving Fund Program for the purpose of making various improvements to the County's wastewater facilities. A copy of the County's Facility Plan shall be maintained by the County Clerk.

Section 3. The County Manager is hereby authorized and directed to execute the said Facility Plan, including any and all papers and documents necessary and incidental thereto.

Section 4. The County Manager is further designated to be the County's representative who is authorized to provide the assurance and commitments that will be required by the said Facility Plan; and to represent the County in carrying out the County's responsibilities under the said Facility Plan, including the authority to delegate responsibility to appropriate County staffmembers to carry out the various technical, financial, and administrative activities associated with implementing the said Facility Plan.

Section 5. All Resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed to the extent of such conflict. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect or any other section or part of this Resolution.

Section 6. This Resolution is PASSED AND ADOPTED in Regular Session, this 5th day of May 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

Bryan Lober, Chair Brevard
County Commission

(As approved by the Board on May 5, 2020)