RESOLUTION R-19-150

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING PUBLIC UTILITIES; ADOPTING POTABLE WATER SYSTEM MASTER PLAN FOR THE UNINCORPORATED MANATEE COUNTY SERVICE AREA; MAKING RELATED FINDINGS; REPEALING AND SUPERSEDING PRIOR AND CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Manatee County is a political subdivision of the State of Florida and is authorized pursuant to Section 125.01, Florida Statutes, Chapter 153, Florida Statutes, Chapter 63-1598, Laws of Florida, as amended, and Article IV of Chapter 2-31 of the Manatee County Code to own and operate the Manatee County public utilities system; and

WHEREAS, on March 20, 1979, the Board of County Commissioners of Manatee County, Florida, adopted Ordinance No. 79-4, codified as Division I of Article I of Chapter 2-31 of the Manatee County Code, which established general requirements for the construction and operation of the County’s potable water system and wastewater system; and

WHEREAS, on June 2, 2015, the Board of County Commissioners of Manatee County, Florida, adopted Ordinance No. 15-008 to modify Division I of Article I of Chapter 2-31 of the Manatee County Code by creating Section 2-31-5 to amend the general requirements for the construction and operation of the County’s potable water system and wastewater system and to establish provisions governing connections to the potable water system and wastewater system by new development; and

WHEREAS, Section 2-31-5(e)(1) of the Manatee County Code stipulates that the County shall adopt and maintain, by resolution of the Board of County Commissioners, master plans for the construction and build-out of the potable water treatment plant, potable water distribution system, the wastewater treatment plants, the wastewater collection systems and the reclaimed water distribution system, and that the master plans shall be updated on a regular basis; and

WHEREAS, Manatee County retained Carollo Engineers to develop a Potable Water System Master Plan Update to be a planning level guiding document for how the potable water service area of the County will be developed based on population projections, planned developments, and land use information provided by the County; and

WHEREAS, the Manatee County Potable Water System Master Plan Update was finalized in July 2019; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the public health, safety, and welfare of the County to adopt the Manatee County Potable Water System Master Plan Update as provided herein.
NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

1. In accordance with Section 2-31-5(e)(1) of the Manatee County Code, the Board of County Commissioners hereby adopts the Manatee County Potable Water System Plan Update, which is attached hereto and incorporated herein by reference.

2. The standards set forth in the Manatee County Potable Water System Plan Update shall be applied in accordance with the requirements of the Manatee County Code and Comprehensive Plan to all applications, decisions or controversies pending before the County upon the effective date of this Resolution.

3. The provisions of this Resolution shall supersede the provisions of any other rule, policy, or Resolution that is in conflict with and cannot be harmonized or reconciled with the provisions of this Resolution.

4. If any one or more of the provisions of this Resolution should be held contrary to law or public policy, or should for any reason whatsoever be held invalid or unenforceable by a court of competent jurisdiction, then such provision or provisions shall be null and void and shall be deemed separate from the remaining provisions of this Resolution, which remaining provisions shall continue in full force and effect, provided that the remaining provisions can be given legal effect absent the invalid portions.

5. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED with a quorum present and voting this ___ day of ____________, 20__.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: __________________________
Chairperson

ATTEST: ANGELINA COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: __________________________
Deputy Clerk