

RESOLUTION NO. 2016-02

A RESOLUTION OF THE CITY COMMISSION OF POLK CITY, FLORIDA; APPROVING THE INTERLOCAL AGREEMENT CREATING THE POLK REGIONAL WATER COOPERATIVE; AUTHORIZING THE MAYOR TO EXECUTE SAID INTERLOCAL AGREEMENT; APPOINTING A PRIMARY AND ALTERNATE DIRECTOR TO THE BOARD OF DIRECTORS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Commission has through its authorized representatives to a formation committee negotiated the terms of an interlocal agreement pursuant to Sections 163.01, 373.713, and 189.013, Fla. Stat., with all the remaining local governing bodies in Polk County, Florida; and,

WHEREAS, the purpose of the interlocal agreement is to provide a mechanism for innovative regional cooperation amongst Polk County local governments, create the charter for a separate legal entity entitled the "Polk Regional Water Cooperative" to develop, recover, store and supply water for county or municipal purpose in such a manner, as will give priority to reducing adverse environmental effects of excessive or improper withdrawals of water from concentrated areas; and,

WHEREAS, the authorized representatives of all the local governing bodies of Polk County, Florida, met and unanimously approved the document attached to and incorporated in this Resolution as Exhibit "A"; and,

WHEREAS, the Polk Regional Water Cooperative shall constitute an independent special district and shall function pursuant to the terms and conditions of the Interlocal Agreement; and,

WHEREAS, Section 2.02 of the interlocal agreement requires the [Commission/Council] to appoint a primary and alternate director to the Board of Directors of the Polk Regional Water Cooperative within forty-five (45) days of the Effective Date of the interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF POLK CITY, FLORIDA:

SECTION 1. APPROVAL AND AUTHORIZATION OF EXECUTION OF INTERLOCAL AGREEMENT. The Polk City Commission does hereby adopt, approve, and authorize execution by the mayor of the INTERLOCAL AGREEMENT RELATING TO THE ESTABLISHMENT OF THE POLK REGIONAL WATER COOPERATIVE, a true copy of which is attached to and incorporated in this Resolution as Exhibit "A."


SECTION 2. APPOINTMENT AND TERM OF PRIMARY AND ALTERNATE DIRECTOR. The Commission hereby appoints Mayor as its primary director and Vice Mayor as its alternate director to the Polk Regional Water Cooperative. The initial term of the primary and alternate director shall be one (1) calendar year from the date of this Resolution.


this Resolution. The Commission shall appoint replacements to these two offices consistent with the provisions of Section 2.02 of the interlocal agreement.

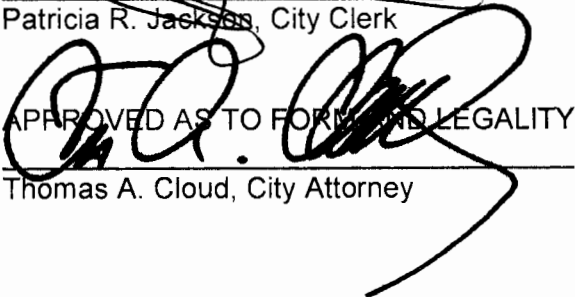
SECTION 3. SEVERABILITY. In the event any provision of this Resolution shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

SECTION 4. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

RESOLVED, PASSED, AND CERTIFIED AS TO PASSAGE THIS 21st DAY OF MARCH, 2016.

POLK CITY, FLORIDA

By: Joe LaCascia, Mayor

ATTEST:

Patricia R. Jackson, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Thomas A. Cloud, City Attorney