

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: January 26, 2016 Consent [X] Regular []
Public Hearing []
Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: executed Agreements received during the months of August and September 2015.

- A) Indemnity Agreement with Pebb Enterprises TDBA, LLC, (District 6) (OR BK 27789 PG 1708);
- B) Indemnity Agreement with New Hope Charities, Inc. (District 6) (OR BK 27882 PG 1307);
- C) Indemnity Agreement with Florida #8 LLC, Florida 2 LLC, WPB No 1 LLC. (District 2) (OR BK 27823 PG 1451);
- D) Standard Potable Water and Wastewater Development Renewal Agreement with Pebb Enterprises TDBA, LLC, #01-01200-001 (District 6) (OR BK 27823 PG 1534);
- E) Standard Potable Water and Wastewater Development Agreement with Atlantic Land Investments, LLC, #11-01014-000 (District 6) (OR BK 27823 PG 1524);
- F) Standard Potable Water and Wastewater Development Agreement with Atlantic Delray Beach, LLC, #03-01035-001, (District 5) (OR BK 27823 PG 1514); and
- G) Standard Potable Water and Wastewater Development Agreement with Pebb Enterprises TDBA, LLC, #01-01234-000 (District 6) (OR BK 27823 PG 1538).

Summary: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached to the item unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department (WUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. (MJ).

Background and Justification: WUD's Uniform Policies and Procedures require Standard Development Agreements to obtain concurrency for water and/or wastewater service. The terms and conditions for Standard Development Agreements are outlined in the WUD Uniform Policies and Procedures Manual. The BCC delegated the authority to execute various types of Standard Development Agreements, and related documents including Standard Indemnity Agreements to the Department Director including potable water and wastewater agreements (R93-1619); reclaimed water agreements (R96-0228); and additional conditions for potable water, wastewater, and reclaimed water agreements (R2003-0539).

The Agreements have been executed on behalf of the BCC by the Director of WUD in accordance with the authority delegated by the BCC, and are now being submitted to the BCC to receive and file.

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Attachments:

None

Recommended By: Jim Stiles 12-17-15
Department Director Date
Approved By: [Signature] 1/5/16
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2016	2017	2018	2019	2020
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>(\$47,722)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	<u>(\$47,722)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: Fund _____ Dept. _____ Unit _____ Object _____

Is Item Included in Current Budget? Yes _____ No X

Reporting Category N/A

B. Recommended Sources of Funds/Summary of Fiscal Impact:

MAP has been paid in full and service installation fees will be collected at the time of connection.

C. Department Fiscal Review: Debra M. West

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

[Signature]
OFMB
2/8 12/18

[Signature] 12/28/15
Contract Development and Control
3 weeks 12-28-15

B. Legal Sufficiency:

[Signature] 1/4/16
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

Background and Justification:

A) Indemnity Agreement with Pebb Enterprises TDBA, LLC (District 6). The Agreement will indemnify the Water Utilities Department from any cost, losses, claims, demands and liabilities that could arise from construction of utilities facilities by Pebb Enterprises TBDA, LLC.

B) Indemnity Agreement with New Hope Charities, Inc. (District 6). The Agreement will indemnify the Water Utilities Department from any cost, losses, claims, demands and liabilities that could arise from construction of utilities facilities by New Hope Charities, Inc.

C) Indemnity Agreement with Florida #8 LLC, Florida 2 LLC, WPB No 1 LLC. (District 2). The Agreement will indemnify the Water Utilities Department from any cost, losses, claims, demands and liabilities that could arise from construction of utilities facilities by Florida #8 LLC, Florida 2 LLC, WPB No 1 LLC.

D) Standard Potable Water and Wastewater Development Renewal Agreement with Pebb Enterprises TDBA, LLC, #01-01200-001 (District 6). The Agreement authorizes the Property Owner to renew their reservation of 22.05 Equivalent Residential Connections (ERC's) for both potable water and wastewater for an additional five (5) years.

E) Standard Potable Water and Wastewater Development Agreement with Atlantic Land Investments, LLC, #11-01014-000 (District 6). The Agreement authorizes the Property Owner to reserve 38.90 ERC's for both potable water and wastewater for five (5) years.

F) Standard Potable Water and Wastewater Development Agreement with Atlantic Delray Beach, LLC, #03-01035-001 (District 5). The Agreement authorizes the Property Owner to reserve 243.70 ERC's for both potable water and wastewater for five (5) years.

G) Standard Potable Water and Wastewater Development Agreement with Pebb Enterprises TDBA, LLC, #01-01234-000 (District 6). The Agreement authorizes the Property Owner to reserve 24.60 ERC's for both potable water and wastewater for five (5) years.