

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: **September 13, 2022** Consent [X] Regular [ ]  
Public Hearing [ ]

Department: **Water Utilities Department**

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to receive and file:** Four (4) executed Standard Potable Water and Wastewater Development Agreements for the months of April and May 2022.

- A) Standard Potable Water and Wastewater Development Agreement with Elan Polo Gardens Owner, LLC, SDA #02-01170-000 (District 6), Recorded in OR BK 33514 PG 1930.
- B) Standard Potable Water and Wastewater Development Agreement with Amelia Estates Phase 2 LLC, SDA #14-01005-000 (District 6), Recorded in OR BK 33514 PG 1921.
- C) Standard Potable Water and Wastewater Development Agreement with Divosta Homes, L.P., SDA #02-01171-000 (District 3), Recorded in OR BK 33514 PG 1942.
- D) Standard Potable Water and Wastewater Development Agreement with Elan Palm Reserve Owner, LLC, SDA #05-11132-000 (District 3), Recorded in OR BK 33588 PG 0594.

**Summary:** In accordance with County PPM CW-O-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 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 Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 3 & 6 (MWJ)

**Background and Justification:** PBCWUD'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 PBCWUD 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).

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Recommended By: Ali Bayat Department Director Date 8/16/22

Approved By: [Signature] Assistant County Administrator Date 8/26/2022

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

<b>Fiscal Years</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Capital Expenditures	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Costs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<b><u>(\$400,341)</u></b>	<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>
<b>NET FISCAL IMPACT</b>	<b><u>(\$400,341)</u></b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

**Budget Account No.:** Fund 4000 Dept. 720 Unit 4200 Object 6992

Is Item Included in Current Budget? Yes X No       

Does this item include the use of federal funds? Yes        No X

Reporting Category N/A

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

Mandatory Agreement Payment has been paid in full and service installation fees will be paid at the time of connection.

**C. Department Fiscal Review:** Joony Beutou GE

**III. REVIEW COMMENTS**

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

*for review Jackson 8/17/22*  
Sam Matus 8/17/22  
 OFMB 7A 8/17

\_\_\_\_\_  
 Contract Development and Control

**B. Legal Sufficiency:**

[Signature] 8/24/22  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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- A) Standard Potable Water and Wastewater Development Agreement with Elan Polo Gardens Owner, LLC, SDA #02-01170-000 (District 6), Recorded in OR BK 33514 PG 1930. The Agreement authorizes the Property Owner located on the southeast corner of Polo Road and Lake Worth Road, 269.52 Equivalent Residential Connections (ERC's) for both water and wastewater for five (5) years.
  
- B) Standard Potable Water and Wastewater Development Agreement with Amelia Estates Phase 2 LLC, SDA #14-0105-000 (District 6), Recorded in OR BK 33514 PG 1921. This Agreement authorizes the Property Owner located north on S.W. 14<sup>th</sup> Street and south on S.W. 16<sup>th</sup> Street (S.R. 715), 21.86 ERC's for both water and wastewater for five (5) years.
  
- C) Standard Potable Water and Wastewater Development Agreement with Divosta Homes, L.P., SDA #02-01171-000 (District 3), Recorded in OR BK 33514 PG 1942. This Agreement authorizes the Property Owner located on the east side of SR 7 and 750 north of Woodwind Lane/Cypress Lake Preserve Drive, 103.21 ERC's for both water and wastewater for five (5) years.
  
- D) Standard Potable Water and Wastewater Development Agreement with Elan Palm Reserve Owner, LLC, SDA #05-11132-000 (District 3), Recorded in OR BK 33588 PG 0594. This Agreement authorizes the Property Owner located northeast corner of Hypoluxo Rd. and Military Trial, 328.62 ERC's for both water and wastewater for five (5) years.