



Legislation Details (With Text)

File #: 21-4372 **Name:** UTILITY SERVICES AGREEMENT WITH DONATO PROPERTIES, LLC FOR PROPERTY LOCATED AT 12775 50TH STREET IN WELLINGTON, FLORIDA

Type: Discussion Item **In control:** Village Council

On agenda: 4/27/2021 **Final action:**

Title: UTILITY SERVICES AGREEMENT WITH DONATO PROPERTIES, LLC FOR PROPERTY LOCATED AT 12775 50TH STREET IN WELLINGTON, FLORIDA

Code sections:

Attachments: 1. 1. Agreement 12775 50th Street S (002)- FINAL

Date	Ver.	Action By	Action	Result
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ITEM: UTILITY SERVICES AGREEMENT WITH DONATO PROPERTIES, LLC FOR PROPERTY LOCATED AT 12775 50TH STREET IN WELLINGTON, FLORIDA

REQUEST: Approval of a Utility Services Agreement reserving potable water capacity for the property owned/controlled by Donato Properties, LLC and located at 12775 50th Street in Wellington, Florida.

EXPLANATION: The 2018 Utility Rate Study established Water, Sewer and Fire Capacity charges for new customers. Payment of these charges allow land owners to purchase system capacity provided sufficient capacity is available to meet both short term and long term system needs. These rates were approved by the Village Council in August of 2018 and became effective on October 1, 2018. A Capacity Charge is a one-time payment made by every new potable water and wastewater customer to allow the Utility to recover the value of system capacity constructed and available. It is a type of "impact fee" imposed on new Utility customers, rather than existing customers. Capacity Fees are required to be paid prior to the Utility Director executing regulatory permitting documents certifying that capacity is available.

This project is located at 12775 50th Street S and is being developed as an equestrian property.

This Utility Service Agreement reserves capacity for water and fire and vests the property owner with the capacity reserved. If the use of the property as developed is less intense than that for which capacity was reserved, the property owner shall not be entitled to a refund of Capacity Charges. The property owner will remain fully vested for the amount of capacity reserved. In addition to Capacity Fees, the property owner is required to pay meter fees and administrative charges at the time of connection.

BUDGET AMENDMENT REQUIRED: NO

PUBLIC HEARING: NO **QUASI-JUDICIAL:**

FIRST READING: **SECOND READING:**

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: The Village will receive \$81,400 in Capacity Charges from the Developer to be used for eligible utility system investments.

WELLINGTON FUNDAMENTAL: Economic Development

RECOMMENDATION: Approval of a Utility Services Agreement reserving potable water capacity for the property owned/controlled by Donato Properties, LLC and located at 12775 50th Street in Wellington, Florida.