



Legislation Details (With Text)

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|-----------------------|--|----------------------|--|--|
| <b>File #:</b>        | 22-5394  | <b>Name:</b>         | UTILITY SERVICES AGREEMENT WITH SOUTHFIELDS STAR, LLC FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA |  |
| <b>Type:</b>          | Purchasing/Contract  | <b>In control:</b>   | Village Council  |  |
| <b>On agenda:</b>     | 9/21/2022  | <b>Final action:</b> |  |  |
| <b>Title:</b>         | UTILITY SERVICES AGREEMENT WITH SOUTHFIELDS STAR, LLC FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA |                      |  |  |
| <b>Code sections:</b> |  |                      |  |  |
| <b>Attachments:</b>   | 1. 1. 13195 Southfields Developers Agreement_Executed  |                      |  |  |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

**ITEM: UTILITY SERVICES AGREEMENT WITH SOUTHFIELDS STAR, LLC FOR PROPERTY LOCATED IN PALM BEACH COUNTY, FLORIDA**

**REQUEST:** Approval of a Developer Agreement Reserving Potable Water and Fire Capacity for the Property Owned/Controlled by Southfields Star, LLC in Palm Beach County, 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 for fire and water service for a new stable with grooms quarters located in Wellington at 13195 Southfields Road.

This Developer 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 is not entitled to a refund of Capacity Charges. The property owner will remain fully vested for capacity reserved. Capacity Fees total \$85,840. 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 has received \$85,840 in Capacity Charges from the Developer to be used for eligible utility system investments.

**WELLINGTON FUNDAMENTAL:** Economic Development

**RECOMMENDATION:** Approval of a Developer Agreement Reserving Potable Water and Fire Capacity for the Property Owned/Controlled by Southfields Star, LLC in Palm Beach County, Florida.