



## Legislation Text

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**File #:** 19-0744, **Version:** 1

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**TO:** Honorable Mayor & Members of the North Port Commission

**FROM:** Peter D. Lear, CPA, CGMA, City Manager

**TITLE:** Water and Wastewater System Developer's Agreement between the City of North Port and Sabal Trace Development Partners, LLC

### **Recommended Action**

Approve the Water and Wastewater System Developer's Agreement between the City of North Port and Sabal Trace Development Partners, LLC

### **Background Information**

Sabal Trace Development Partners, LLC, has purchased the property formerly under a developer agreement first entered into on February 12, 1986, and later amended, governing the reclaimed water for the property known as Sabal Trace Golf Course. At this point, the City and Developer believe terminating the prior agreement as it relates specifically to the golf course property only and replacing the previous agreements would be beneficial for both parties. Consistent with this termination, the Developer will no longer have the obligation to pay the minimum monthly reclaimed water charges.

Entering into this new agreement will bring many of the new terms and conditions up to date as much of the original agreement's terms were essentially unchanged since 1986. In this new agreement, the Developer wishes to set forth the schedule for reserving 770 Equivalent Residential Connections (ERCs) of water and wastewater capacity and confirms their commitment to pay future guaranteed revenues annually until all previously reserved ERCs are all connected. Reclaimed water (previously known as effluent in the prior agreement) will continue to be utilized on the property for residential and commercial irrigation purposes.

Legal has reviewed the agreement and has no legal objection.

### **Strategic Plan**

This agreement supports all five goals of the Strategic Plan

### **Financial Impact**

This agreement requires payment of capacity fees and guaranteed revenues consistent with the development, thus having growth pay for growth.

### **Procurement**

Attachments:

1. City of North Port, Florida and Sabal Trace Development Partners, LLC Water and Wastewater

System Developer's Agreement including all attachments including Prior Agreement.

**Prepared by:** Jennifer Desrosiers

**Department Director:** Richard Newkirk