

RESOLUTION NO. 18-06-49

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, CLOSING THE VILLAGE'S RESIDENTIAL GRINDER PUMP PROGRAM TO NEW PARTICIPANTS; AUTHORIZING VILLAGE OFFICIALS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 21, 2012, Islamorada, Village of Islands (the "Village") entered into a Design Build and Operate (DBO) Agreement with Reynolds Water Islamorada, LLC (n/k/a Reynolds Construction, LLC) ("Reynolds") to provide design, construction and operation of a Village-wide wastewater collection and transmission system ("DBO Agreement;") and

WHEREAS, on May 24, 2014, the Village Council of Islamorada, Village of Islands (the "Village Council") passed and adopted Resolution No. 14-05-32 approving Change Order No. 5 to the DBO Agreement with Reynolds establishing a Residential Grinder Pump Program (the "Program") whereby the Village would furnish and install grinder pump stations at Village expense for all residential properties assessed for one (1) Equivalent Dwelling Unit (EDU) up to four (4) EDUs regardless of the type of connection required for these properties (low pressure or vacuum); and

WHEREAS, the final completion date for Change Order No. 5 was May 29, 2016; and

WHEREAS, on September 23, 2014, the Village Council passed and adopted Resolution No. 14-09-69 thereby approving Change Order No. 7 to the DBO Agreement and assuming responsibility through Reynolds for operations and maintenance of the grinder pump stations included in the Program as well as the service laterals; and

WHEREAS, on November 6, 2014, the Village Council passed and adopted Resolution No. 14-11-83 thereby approving Change Order No. 10 to the DBO Agreement whereby fifteen (15) residential properties that could be served by up to a duplex grinder pump station were

included in the Program; and

WHEREAS, On June 9, 2016, Village Council directed staff to allow fifty (50) more property owners into the Program under Work Authorization 2016-40 and included installation of thirty-eight (38) simplex stations and twelve (12) duplex stations; and

WHEREAS, the Village terminated the DBO Agreement with Reynolds effective March 12, 2018 and the Village has since assumed direct responsibility for operations and maintenance of the Program; and

WHEREAS, ample time and opportunity has been afforded to all residential property owners of the Village to opt in to the Program; and

WHEREAS, the Village Council finds that closing the Program to new participants is in the best interest of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this reference.

Section 2. **Closing the Program to New Participants.** The Village Council hereby approves closing the Residential Grinder Pump Program to new participants.

Section 3. **Authorization of Village Officials.** The Village Manager and/or his designee and the Village Attorney are authorized to take all actions necessary to close the Program to new participants.

Section 4. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Motion to adopt by Vice Mayor Deb Gillis, second by Councilman Jim Mooney.

FINAL VOTE AT ADOPTION

ISLAMORADA, VILLAGE OF ISLANDS, VILLAGE COUNCIL

Mayor Chris Sante	YES
Vice Mayor Deb Gillis	YES
Councilman Mike Forster	YES
Councilman Cheryl Meads	NO
Councilman Jim Mooney	YES

PASSED AND ADOPTED THIS 14TH DAY OF JUNE, 2018.



CHRIS SANTE, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF ISLAMORADA,
VILLAGE OF ISLANDS ONLY



ROGET V. BRYAN, VILLAGE ATTORNEY