

RESOLUTION NO. R-92-270

PERMISSION FOR MANATEE COUNTY PUBLIC WORKS DEPARTMENT
TO FURNISH WATER SERVICE TO RUBONIA RESIDENTS
PRIOR TO PAYMENT OF FACILITY INVESTMENT FEES

A RESOLUTION OF MANATEE COUNTY PROVIDING FOR AN EXCEPTION TO SECTIONS 4.01(d) AND 4.06(b) OF RESOLUTION NO. R-92-219; MORE SPECIFICALLY, PROVIDING THAT THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT SHALL HAVE PERMISSION TO FURNISH WATER SERVICE TO RUBONIA RESIDENTS PRIOR TO THE PAYMENT OF FACILITY INVESTMENT FEES; PROVIDING THAT THE PAYMENT OF SUCH FEES SHALL BE DEFERRED UNTIL SUCH TIME AS A FINAL DETERMINATION IS MADE AS TO WHETHER SUCH FEES SHOULD BE PAID, AND A FUND IS ESTABLISHED FOR THE PAYMENT OF SUCH FEES, IF REQUIRED; RESCINDING RESOLUTION NO. R-91-46.

WHEREAS, the County of Manatee, a political subdivision of the State of Florida, is the owner and operator of the County Water System under the auspices of the "Manatee County Public Works Department", pursuant to the provisions of Chapter 63-1598, Laws of Florida, and other applicable provisions of law together with Resolutions duly adopted by the Board of County Commissioners (the Board); and

WHEREAS, the Board through its adoption of Resolution No. R-92-219 required that applicants desiring service for an existing structure not previously served shall pay the appropriate fees prior to service being supplied; and

WHEREAS, by adoption of Resolution No. R-92-219, the Board required the payment of Facility Investment Fees (FIF's) for water connections; and

WHEREAS, the Board earlier applied for and accepted a Community Development Block Grant (CDBG) and grant funds from the United States Environmental Protection Agency for facilities improvements in Rubonia; and

WHEREAS, in applying for and accepting grant funds for facilities improvements in Rubonia, the Board found conditions in Rubonia concerning water, sewage and drainage to constitute threats to public health and found Rubonia to be, according to United States Census figures, the poorest neighborhood in the County with all but relatively few residents being low and moderate-income; and

WHEREAS, the Board is already furnishing connections to the sanitary sewer collection system to Rubonia residents; and

WHEREAS, the Board has financed the current series of Utilities Revenue Bonds with new covenants that permit the expenditure of surplus utilities revenues for capital improvements to the system, which would have the effect of certain classes of customers not being required to pay certain fees; and

WHEREAS, specific action has not yet been taken to establish the certain conditions or different classes of customers which would not require the payment of such fees; and

WHEREAS, the Board finds that funds that are being saved with respect to FIF's will be used to connect more customers to Public Utility System services;

NOW, THEREFORE IT BE RESOLVED, as follows:

1. In consideration of the health threatening and other conditions existing in Rubonia, the Public Works Department is hereby authorized and directed to furnish water service to applicants for such service in Rubonia, including the installation of meters, before the payment of FIF's is made.

2. Payment of FIF's shall be deferred until such time as a final determination is made as to whether such payment is required and a fund is established, if necessary, for the payment of such fees.

3. This Resolution shall be effective immediately upon adoption, the provisions of Resolution No. R-92-219 to the contrary notwithstanding.

4. Resolution R-91-46 is hereby rescinded.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Manatee County, Florida, this 10th day of November, 1992.

BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: *[Signature]*

[Signature] Vice-Chairman

ATTEST: R.B. Shore
Clerk of the Circuit Court

[Signature]
D.C.