

**RESOLUTION NO. 24-R-\_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, TO SUPPORT THE SHORT WATER LINE EXTENSION PROGRAM; PROVIDING CERTAIN FINDINGS AND AUTHORITY; ESTABLISHING THE SHORT WATER LINE EXTENSION PROGRAM SERVICE AREA; ESTABLISHING ONE-TIME CAPITAL CONNECTION FEE FOR THE SERVICE AREA; REPEALING RESOLUTION NO. 23-R-556 AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 17, 2021, the Board of County Commissioners of Marion County, Florida (the “Board”) approved a list of proposed projects and expenditures from the ARPA funds, including \$5 million for the development and execution of a Short Water Line Extension Program (“the Program”) providing subsidies for qualified applicants seeking water line extensions on a first-come, first-served basis; and

**WHEREAS**, on October 18, 2022, the Board approved Ordinance No. 22-43, which among other things, established the basic requirements for the Program; and

**WHEREAS**, while the ARPA funds will provide the initial seed money for the Program, it is anticipated that lots not yet connected to the System will pay a one-time Capital Connection Fee to fund its portion of the water line extension and those monies will be reinvested into the Program to enable future connections; and

**WHEREAS**, a developed lot is considered to be occupied, have its final inspection or certificate of occupancy, and may be improved by the Program but not yet connected to the System, subject to the Capital Connection Fee; and

**WHEREAS**, the Program requires the Board to establish, by Resolution, a one-time Capital Connection Fee establishing a pro-rata share for parcels connecting single family residences participating in the Program and the payment terms and conditions applicable thereto, which may include differing fees for developed and undeveloped lots and differing fees based on the cost and distance of required extensions; and

**WHEREAS**, on October 18, 2022, during a public hearing, the Board provided direction to consider a cap to the Capital Connection Fee per property, subject to review and change through each Resolution; and

**WHEREAS**, property owner (“Owner”) qualifies for, and has submitted a completed application to support its participation in the Program, herein attached as **Exhibit A**; and

**WHEREAS**, the Capital Connection Fee will be reinvested in the Program to help pay costs of the water line extension program and it is anticipated that the Capital Connection Fee will be determined by apportioning the actual cost of the water line extension among all lots to be served by the water line extension on a pro rata basis; and

**WHEREAS**, the Board desires to establish discrete geographical area(s) of unincorporated Marion County designated by Board resolution as "Short Water Main Extension Program Service Areas," where funding is available to cover the water main extension cost; and

**WHEREAS**, Resolution No. 23-R-556 was approved by the Board of County Commissioners on November 21, 2023, and recorded in the Official Records of Marion County in Book 8196, Pages 1691-1696, November 22, 2023 and it has come to the attention of the County and Owner that its Exhibits and resulting per parcel share costs are erroneous; and

**WHEREAS**, this Resolution shall repeal and replace Resolution 23-R-556.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. AUTHORITY.** This resolution is adopted pursuant to the provisions of Chapter 19 – Water and Sewers, Article III. – Water and Wastewater Facilities, Division 5. – Short Water Line Extension Program, of the Code of Ordinances of Marion County, Florida.

**SECTION 3. ESTABLISH THE SHORT WATER LINE EXTENSION PROGRAM SERVICE AREA.** Pursuant to Section 19-218, the Board hereby designates the following Short Water Line Extension Program Service Area:

Parcel **#8003-0411-13** and surrounding improved parcels of the water main extension herein attached as **Exhibit B**. Sketch is for reference purposes only and supports professionally engineered Issued for Construction (“IFC”) plans on file with County.

**SECTION 4. ESTABLISHING ONE-TIME CAPITAL CONNECTION FEE.**

(A) Pursuant to Section 19-217, the one-time Capital Connection Fee will be determined by apportioning the actual cost of this water line extension work using County’s bid pricing, herein attached as **Exhibit C** to be served by the water line extension designed

in Exhibit B. In no case shall the pro rata fee be more than five thousand (\$5,000.00) dollars per lot. It is further noted that additional fees may include:

1. Each qualifying applicant will additionally be responsible the cost of all On-site facilities as defined in Section 19-122.
2. The applicant must pay all applicable costs and fees for the requested short water line extension which may include, without limitation, tap fees and system development fees as required by the County. All costs and fees are due in accordance with Section 19-217(c) and the County's existing utility regulations.
3. The short water line extension is subject to all applicable federal, state, and local permits and requirements and any required encroachments

(B) The Capital Connection Fee for this Short Water Line Extension Program Service Area Project is \$2,881.43 per lot.

**SECTION 4. REPEAL OF PRIOR RESOLUTION.** This Resolution shall repeal Resolution 23-R-556.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its adoption.

**DULY ADOPTED** in regular session this \_\_\_\_ day of \_\_\_\_\_, 2024.

**BOARD OF COUNTY COMMISSIONERS  
OF MARION COUNTY, FLORIDA**

\_\_\_\_\_  
Michelle Stone, Chairman

ATTEST:

\_\_\_\_\_  
Gregory C. Harrell, Clerk

FOR THE USE AND RELIANCE OF MARION COUNTY ONLY.  
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

*For: [Signature]*  
Matthew Minter, County Attorney



# Marion County Utilities ("MCU") Short Water Line Extension Program Application and Agreement

Parcel Owner Name Nicchio Real Estate Investments LLC Phone (407) 666-8777  
Parcel ID 3003-0411-13 Email Address stefan@4wuhomes.com

By submitting this Application and Agreement ("Application"), I affirm I have read, understood and agree to be bound by all provisions of the Marion County Code of Ordinances ("County Code") and Land Development Code, portions of which are below, and I herein apply to participate in the Short Water Line Extension Program (the "Program") set forth in Chapter 19, Article III, Division 5 of County Code, all Codes being available to me at: [https://library.municode.com/fl/marion\\_county](https://library.municode.com/fl/marion_county). I understand acceptance by the County of this Application is made by its adoption of a Resolution associated with the subject water main ("Main") extension. Upon passage of the Resolution, this Application is considered a binding agreement upon me, and a breach is subject to the legal remedies provided by law, including retention of fees paid as liquidated damages and/or a lien on the Parcel.

Parcels eligible for the Program must:

1. Be listed in the undersigned's name in the Marion County Property Appraiser's records and if the Parcel Owner is an entity, the entity must be in ACTIVE status with the Florida Department of Corporations; **AND**
2. Require minimum 50' Main extension to meet Code, but not more than 500' from a validated MCU Main; **AND**
3. Be within a service area designated in accordance with Section 19-218 of the Marion County Code; **AND**
4. Provide domestic water service to a Single Family Residence that:
  - a. Is onsite and served by a private well; **OR**
  - b. Is vacant and in an active building permit status issued outside the subdivision development process.

In accordance with the Program, I affirm:

1. That both the undersigned and the Parcel meet the conditions of the Program, including the water connection requirements under Land Development Code 6.14.2(B); **AND**
2. Under penalty of having my building permit placed on an inspection hold, I will submit the items below to MCU within 30 days of notification of the County's adoption of this Main extension's Resolution:
  - a. A new water utility account service agreement with an MCU Billing Specialist; **AND**
  - b. Payment of all applicable connection fees; **AND**
  - c. Payment of the Parcel's calculated capital connection charge based on MCU's design.

I understand: (a) the Program is available on a first-come, first-served basis to applicants with a complete application; (b) final-designed Main extension length is at MCU's sole discretion; (c) the Parcel must be accessible by a publicly maintained right-of-way to serve the Main extension installation; (d) all onsite costs are my responsibility; (e) MCU, in its sole discretion, may cancel this Application due to insufficient funds or other reasonable circumstances, and if cancelled, all unused costs paid by the undersigned for this Application will be refunded; and (f) each extension project's capital connection costs are determined on an individual basis; costs associated with this Application are not an indicator of costs for any other parcel(s).

### ACCEPTED AND AGREED TO BY OWNER:

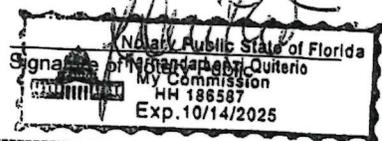
OWNER: [Signature]  
Printed: Stefan Lemos Date 5/11/23

WITNESS: [Signature]  
Printed: Marcela Cots Date 5/11/23

STATE OF Florida, COUNTY OF Marion

This document was acknowledged before me by means of physical presence or online notarization this 11 day of May, 2023 by Stefan Lemos as owner/MGR for 3003-0411-13 Nicchio Real Estate Investments LLC, the party on whose behalf this Application is executed.

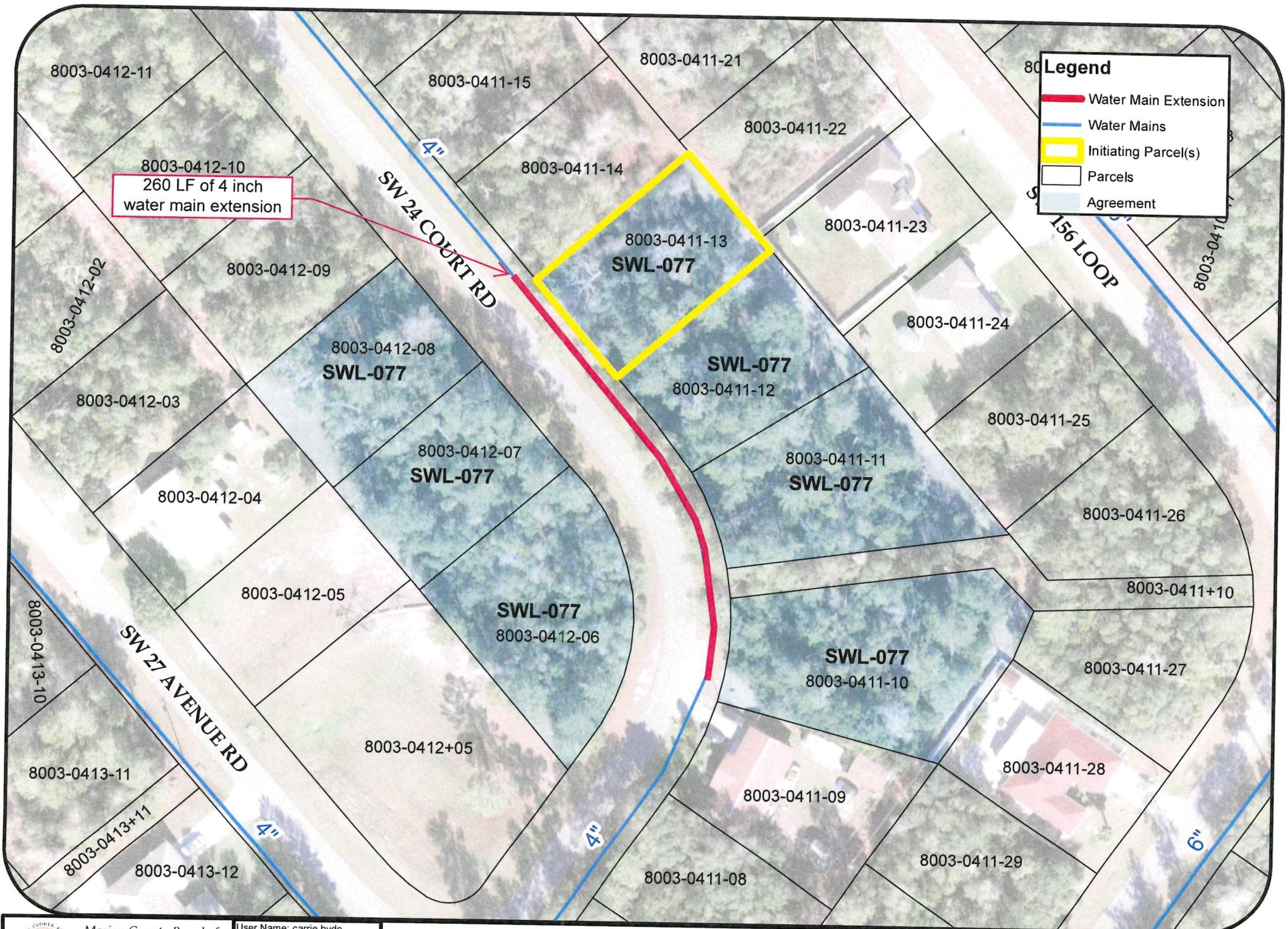
NOTARY SEAL  
 personally known to me or who produced ID (type/# \_\_\_\_\_).



### COUNTY USE ONLY BELOW THIS LINE

- existing SFR with well – OR – Active Building Permit # 2023050147
- property appraiser validation ownership
- subbiz active status
- extension distance obligation 75 LF

PROJECT ID# SWL-077 RECEIVED BY: Amanda Kluck DATE 5/11/2023



**Legend**

- Water Main Extension
- Water Mains
- Initiating Parcel(s)
- Parcels
- Agreement

8003-0412-10  
260 LF of 4 inch  
water main extension

**SWL-077**  
**EXHIBIT C**

PART 1 - LINE EXTENSION APPLICANT INFO

All bid pricing expires 9/30/27; for projects not accepted, new calculations will be required based on MCU's new bid pricing.

Line Extension #	SWL-077	1	Initiating number of parcels
Initiating Parcel#	8003-0411-13	6	Resulting benefitting lots
Applicant Name	Nicchio Real Estate Investments, LLC	^ REFER TO <i>SITE MAP</i> TAB TO VALIDATE	
Length of extension (ft)	260		
Diameter of main (in)	4		LOCATE:

PART 2 - BID FORM

ITEM	DESCRIPTION	Final Cost		T&C	GWP	CIC
		QTY	UNIT	EXT	EXT	EXT
1.01	Mobilization and Demobilization	1	LS	\$ 2,700.00	\$ 8,523.00	\$ 10,000.00
2.01	Water Main Pressure Testing & Bac-T testing (2 Bac-T tests per project)	1	LS	\$ 1,800.00	\$ 2,200.00	\$ 1,500.00
3.06	4" PVC C900 DR 18 (201 ft and more)	260	LF	\$ 6,240.00	\$ 8,320.00	\$ 5,720.00
8.02	Short Double Service Assembly	1	EA	\$ 2,000.00	\$ 1,552.00	\$ 2,130.00
8.04	Long Double Service Assembly	1	EA	\$ 3,200.00	\$ 2,500.00	\$ 4,328.00
11.01	Silt Fencing	260	LF	\$ 910.00	\$ 780.00	\$ 951.60
13.03	Sod (201 ft or more)	260	LF	\$ 2,860.00	\$ 7,540.00	\$ 1,331.20
21.01	4" Bell Restraint	2	EA	\$ 260.00	\$ 324.00	\$ 290.00
		Base Construction Costs		\$ 19,970.00	\$ 31,739.00	\$ 26,250.80
	Right of Way Permitting Fee eff 10/1/23			\$ 200.00	\$ 200.00	\$ 200.00
		<b>Owner Cost</b>		<b>\$ 20,170.00</b>	<b>\$ 31,939.00</b>	<b>\$ 26,450.80</b>
		Benefitting Parcel Cost (per lot)		\$ 2,881.43	\$ 4,562.71	\$ 3,778.69
		Initiator Parcel Cost (TOTAL)		\$ 2,881.43	\$ 4,562.71	\$ 3,778.69