

**INTERLOCAL AGREEMENT FOR THE PROVISION OF WATER SERVICES
LIMITED TO PLANTATION PARK**

THIS AGREEMENT FOR THE PROVISION OF POTABLE WATER is entered into the 20~~th~~ day of Oct., 2016, by and between **COLUMBIA COUNTY, FLORIDA**, a body politic of the State of Florida, whose mailing address is Post Office Box 1529, Lake City, Florida 32056-1529, (herein "County"), and **THE CITY OF LAKE CITY**, a body politic of the State of Florida, whose mailing address is 205 North Marion Avenue Lake City, FL 32055 (herein "CITY").

RECITALS

WHEREAS, the purpose of this interlocal agreement is to replace an aging County owned water system known as Plantation Park and to connect approximately nineteen (19) existing Plantation Park residential customers to the City of Lake City municipal water system. The Plantation Park neighborhood is approximately 30 years old, consisting primarily of mobile homes with low and very low income families. Providing assistance to these families will meet the CDBG National Objective of benefiting low and moderate income persons.

WHEREAS, On April 25, 2016, the County submitted a FY 2015 Florida Small Cities Community Development Block Grant (CDBG) application under the Neighborhood Revitalization category. The Community Development Block Grant (CDBG) project included connecting the aging Plantation Park water system to the City of Lake City municipal system and replacing all of the existing waterlines servicing the customers of the Plantation Park water system. Fire hydrants will be added to improve fire protection to the target area.

WHEREAS, the City operates a large, modern water treatment plant and distribution system with enough existing capacity to supply water to the Plantation Park system and its customers.

WHEREAS, the City and the County agree that providing municipal potable water to the Plantation Park system is in the interest of the customers currently serviced by the existing well water system; is in the public interest; and that the City is willing and able to provide water to these customers should the grant be awarded and the utility lines constructed in accordance with City Utility specifications. Additionally, this project is not inconsistent with the local comprehensive plans of the City or the County.

NOW, THEREFORE, in consideration of the mutual covenants and conditions hereinafter provided, County and City agree as follows:

Recitals Incorporated. The recitals above are true and correct, and are incorporated herein by reference.

Services Provided. Upon receiving funding from the Florida Small Cities Community Development Block Grant (CDBG) program, and in compliance with the City of Lake City Utility Standards, the County will cause to be constructed approximately 7,100 linear feet of 12-inch transmission water line from SW Bishop Road to SW Kimdale Loop for an estimated \$325,000. An additional estimated \$90,000 of CDBG funds will be used to replace the water lines servicing the residents of Plantation Park with approximately 2,200 linear feet of 8-inch water lines.

When the lines are placed into service, the City agrees to provide the customers of the Plantation Park with potable water and to operate and maintain the water system in accordance with the City of Lake City utility policies and rates in effect at that time.

Upon completion of the waterlines, the County will pave SW Kimdale Loop and Stratford Glen at a cost of approximately \$275,000.

Upon closeout of the Florida Small Cities Community Development Block Grant (CDBG) project, the County will deed the water lines and appurtenances to the City and provide the City with all appropriate utility easements.

Compensation. The County and City mutually agree that the Plantation Park Utility system and all easements will be transferred to the City at no cost to the County or the City. The City will bill the water system customers directly for any water consumption using the rate structure in place at the time of service. The City agrees that existing customers of the Plantation Park water system will not be charged for connection or capacity charges. Upon acceptance of the water system by the City, the City shall assume all financial responsibility for the maintenance and operation of the water system with the sole exception being any contractor warranty issues that may be outstanding.

Nondiscrimination. The County and City agrees that they will not discriminate against any applicants and/or customers for water service because of their race, color, religion, sex, or natural origin, and to abide by all federal and state laws regarding nondiscrimination. Any violation of such provision shall constitute a material breach of this contract.

Controlling Law. This contract is to be governed by the laws of the State of Florida and sole and exclusive venue for any legal action shall be the state courts of Columbia County, Florida. Each party waives its right to any other venue.

Amendment. This contract constitutes the entire agreement between the County and Contractor, and all negotiations and oral understandings between the parties are merged herein. This contract may be supplemented and/or amended only by a written document executed by both the County and Contractor.

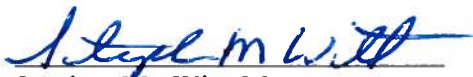
Non-assignability. Neither party shall assign any rights or delegate any duties arising under this contract without prior written consent of the other party.

Severability. If any term or provision of this contract or the application thereof to any person or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this contract or the application of such items or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected and every other term and provision of this contract shall be deemed valid and enforceable to the extent permitted by law.

IN WITNESS WHEREOF the parties have caused this instrument to be signed by their respective duly authorized officers or representatives as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

CITY OF LAKE CITY


Stephen M. Witt, Mayor

COLUMBIA COUNTY, FLORIDA


Bucky Nash, Chair

Attest:


Audrey Liles


P. DeWitt Cason, Clerk of Courts

Approved as to Form:


Fred Koberlein, City Attorney


Joel Foreman, County Attorney

CITY COUNCIL RESOLUTION NO. 2016-073

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COLUMBIA COUNTY, FLORIDA, FOR THE PROVISION OF WATER SERVICES LIMITED TO PLANTATION PARK.

WHEREAS, there exists approximately nineteen (19) residential units, as defined in Section 102-1, Code of the City of Lake City, Florida (the "Code"), that are connected to an approximately thirty (30) year old Columbia County owned well water system; and

WHEREAS, Columbia County, Florida (the "County") has proposed to the City of Lake City (the "City") that in return for the City providing future ongoing water utilities to the aforementioned residential units, located in the area known as Plantation Park, the County will replace all existing waterlines servicing Plantation Park, and add fire hydrants to improve fire protection to Plantation Park, and pave SW Kimdale Loop and Stratford Glen roads; and

WHEREAS, the County in good faith has submitted a Florida Small Cities Community Development Block Grant (CDBG) application under the Neighborhood Revitalization category to help defray the anticipated expenses (\$690,000) of transferring the residential units of Plantation Park to the City owned water utilities which will include the aforementioned expenses as well as those fees and charges required by the Code; and

WHEREAS, the City and County would execute and enter into an *Interlocal Agreement for the Provision of Water Services Limited to Plantation Park* ("Exhibit A") to memorialize the parties' intentions; and

WHEREAS, the City Council finds the transfer of the residential units of Plantation Park to be in the best interests of the public.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are adopted and hereby incorporated by reference.

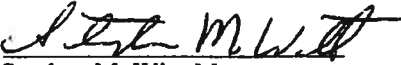
Section 2. The City is hereby authorized to enter into an *Interlocal Agreement for the Provision of Water Services Limited to Plantation Park* (the "Agreement").

Section 3. The Mayor and City Administration are authorized to execute the Agreement with the County.

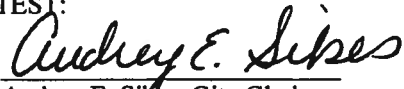
Section 4. This resolution shall take effect immediately.

PASSED AND ADOPTED by the City Council on the 17th day of
October, 2016.

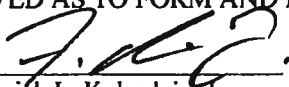
CITY OF LAKE CITY, FLORIDA

By: 
Stephen M. Witt, Mayor

ATTEST:

By: 
Audrey E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

By: 
Frederick L. Koberlein, Jr.
City Attorney