



Legislation Details (With Text)

File #: 2023-1241
Type: Agenda Item **Status:** Passed
File created: 5/4/2023 **In control:** City Council
On agenda: 6/6/2023 **Final action:** 6/6/2023
Title: Approve the First Amendment to Ocala South/Long Green Farms Subdivision Developer's Agreement between the City of Ocala, Sunbelt Land Fund I-Ocala South, LLC and Merrimac SWC Ocala, LLC to connect to the City of Ocala's central water and wastewater services

Sponsors:

Code sections:

Attachments: 1. FOR COUNCIL - First Amendment to Developers Agreement - Long Green Farms, 2. Original - Developers Agreement - Longgreen Farms and SWC Management - 6.21.22

Date	Ver.	Action By	Action	Result
6/6/2023	1	City Council	Approved	Pass

Submitted By: Rusella Bowes-Johnson

Presentation By: Sean Lanier

Department: Water & Sewer

STAFF RECOMMENDATION (Motion Ready):

Approve the First Amendment to Ocala South/Long Green Farms Subdivision Developer's Agreement between the City of Ocala, Sunbelt Land Fund I-Ocala South, LLC and Merrimac SWC Ocala, LLC to connect to the City of Ocala's central water and wastewater services

OCALA'S RELEVANT STRATEGIC GOALS:

Quality of Place

PROOF OF PUBLICATION:

N/A

BACKGROUND:

On June 21, 2022, the City of Ocala (City), Longgreen Farms, Inc. (Owner) and SWC Management, LLC (Developer) entered into an agreement. Under the original agreement:

- The City will supply central water and wastewater services for approximately 288 residential single-family homes at the Ocala South/Long Green Farms subdivision.
- At its sole cost and expense, the Developer agreed to construct the improvements pursuant to the terms

and conditions of the agreement.

- The Developer shall pay all applicable fees, including impact fees, in accordance with the City Code and other applicable laws and ordinances.
- The Developer shall maintain and repair all improvements for a period of one year after the completion of construction thereof and acceptance by the City.

FINDINGS AND CONCLUSIONS:

The First Amendment shall cover only the following changes:

1. Addendum to Owner and Developer Definitions:

- Sunbelt Land Fund I-Ocala South, LLC, a Florida limited liability company (“Owner”); and
- Merrimac SWC Ocala, LLC, a Florida limited liability company (“Developer”).

2. Addendum to Covenants of Developer:

- Amend 3.1.2. An eight-inch water main from the existing 16-inch water main within the north side of SW 52nd St Right-of-Way, to the Property.
- Amend 3.2. Developer shall submit to City proposed Plans for the Improvements, as described in the Developer Agreement and as further amended in this First Amendment, within 12 months from the date of Marion County Board of County Commission Approval for MPUD # 29788.
- Amend 3.3. Developer shall construct the Improvements within two years from the date of Marion County Board of County Commission Approval for MPUD # 29788.

3. Additional Covenant of Developer:

Developer shall share in fifty percent of the cost related to the upgrades to two pumps, including required electrical adjustments, to accommodate the additional flows for the related project. City shall share in the remaining fifty percent of the pump upgrades.

Staff recommends approval.

FISCAL IMPACT:

N/A

PROCUREMENT REVIEW:

This Amendment has been reviewed in compliance with the City’s Procurement Policy.

LEGAL REVIEW:

This Agreement will be reviewed and approved for form and legality by the City Attorney, William E. Sexton.

ALTERNATIVE:

- Approve with amendments
- Deny

- Table

SUPPORT MATERIALS: