



MEMORANDUM TO VENICE CITY COUNCIL

FROM: Javier Vargas, Utilities Director, and R. David Jackson, Assistant City Attorney

DEPARTMENT: Utilities Department

THROUGH CHARTER OFFICER: Edward Lavallee, City Manager **E-SIGN:**

DATE: June 9, 2022

MEETING DATE: Tuesday, June 28, 2022

COUNCIL ACTION REQUESTED: For Council Adoption by Consent Motion

SUPPORTS STRATEGIC PLAN: Goal Three: Ensure a Fiscally Sound City

SUBJECT / TOPIC: Amendment to Utility and Cost Sharing Agreement with Sarasota County Public Hospital District

BACKGROUND INFORMATION: On July 21, 2020, the City and the Sarasota County Public Hospital District ("Hospital") entered into a Utility and Cost Sharing Agreement (the "Agreement") regarding the utilities serving the Hospital's project within the City of Venice, located south of Laurel Road, east of Pinebrook Road, and west of Interstate 75 (the "Property"). As part of the Agreement, the City had requested that the Hospital oversize certain infrastructure to allow for future development located upstream of the Hospital property to be served by the City. This included a proposed 6"-force main being oversized from the 4"-force main required for just the Hospital project, which is referenced in the Agreement as the "Southern Force Main Extension." Under the Agreement, the City agreed to reimburse specific funds to the Hospital for the oversizing of this infrastructure, including the amount of \$33,373 for the Southern Force Main Extension. The Southern Force Main Extension was designed and constructed by the Hospital; however, it was installed at a lower depth than specified in the approved plans.

STAFF RECOMMENDATION: Under the proposed Amendment to the Utility and Cost Sharing Agreement (the "Amendment"), the City will agree to accept the Southern Force Main Extension at its current depth subject to its approval by the Florida Department of Environmental Protection. In exchange, the Hospital has agreed to waive the \$33,373 reimbursement amount that was to be paid by the City for oversizing the Southern Force Main Extension. In addition, the Hospital has agreed to warrant the Southern Force Main Extension against defects for a period of five years from the date it is placed into service.

The Hospital has approved the Amendment and it is anticipated that it will be executed by the Hospital's President and Chief Executive Office prior to the City Council meeting. Accordingly, the Amendment between the City and the Hospital is provided for approval by the City Council and execution by the Mayor.

Yes N/A

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Document(s) Reviewed for ADA compliance (required if for agenda posting) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | City Attorney Reviewed/Approval |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Risk Management Review |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Finance Department Review/Approval |
- Funds Availability (account number): [Click or tap here to enter text.](#)

Original(s) attached: Amendment

Cc: Kelly M. Fernandez, City Attorney

Kelly Michaels, City Clerk