

Meeting Date
September 1, 2015



AGENDA	
Section	CONSENT
Item No.	II D.3

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Acquisition of San Sebastian Water System
DEPT/OFFICE:	Scott L. Knox, County Attorney, (321) 633-2090 Matthew Soss, Assistant County Attorney, (321) 633-2090 Jim Helmer, Interim Director of Utility Services Department, (321) 633-2091

Requested Action:
 Staff requests that the Board of County Commissioners authorize the County Attorney's Office to initiate legal proceedings to acquire the San Sebastian Water System, and authorize the acceptance of the deed and redemption of any outstanding tax certificates.

Summary Explanation & Background:

On March 20, 2013, Flynn Services, LLC., the owner of a water system that provides water services in and/or around the residential San Sebastian Woods Subdivision ("San Sebastian Water System"), notified Brevard County that it was abandoning said water system. Pursuant to Section 367.165, Florida Statutes, Brevard County was required to petition the Circuit Court to appoint a receiver. In an order dated March 28, 2013, the Circuit Court of the 18th Judicial Circuit named Brevard County the receiver, and retained jurisdiction to transfer ownership of the system.




As of April 1, 2013, Brevard County has been operating and maintaining the water system as the receiver. It is requested that the Board authorize Staff to initiate legal proceedings to acquire the San Sebastian Water System, accept the deed, and redeem any outstanding tax certificates.

Fiscal Impact: Approximately \$744.98 for the redemption of outstanding tax certificates.

Clerk to the Board Instructions:

Exhibits Attached:

Contract /Agreement (If attached):	Reviewed by County Attorney	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager	Assistant County Manager	Department Director / Extension
Stockton Whitten 	Assistant County Manager	Scott Knox, County Attorney / 5290  Jim Helmer, Interim Director Utility Services Department 



Tammy Etheridge, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972

September 2, 2015

MEMORANDUM

TO: Scott Knox, County Attorney

RE: Item II.D.3., Initiate Legal Proceeding for Acquisition of San Sebastian Water System

The Board of County Commissioners, in regular session on September 1, 2015, authorized you to initiate legal proceeding to acquire the San Sebastian Water System; and authorized the acceptance of the deed and redemption of any outstanding tax certificates.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge

✓ Tammy Etheridge, Deputy Clerk

/ds

cc: Utility Services Interim Director
Finance
Budget