

MEMORANDUM

TO: Honorable Mayor and City Council Members

FROM: Chester Murray, Interim City Manager

DATE: August 25, 2009

SUBJECT: **Termination letter for WAV**

Attached is a request from WAV Acting Director, Mary Swiderski to submit a letter giving notice of our desire to terminate the agreement of the Water Authority of Volusia. After all of the termination letters are received the dissolution will be effective September 30, 2009. Once the termination is effective and after any obligations is satisfied, then all net proceeds will be tendered to each member government in pro rate share (based upon the assessments paid in the last fiscal year).



August 25, 2009

Water Authority of Volusia

Attention: Mary Swiderski

I am writing on behalf of the City of Orange City and pursuant to Section 4.04 of the Fourth Amended and Restated Interlocal Agreement Creating the Water Authority of Volusia. Please accept this as our "termination notice" as required by Section 4.04 and as evidence of our desire to terminate the Water Authority of Volusia.

Sincerely,

Chester Murray, Interim City Manager

Building
386-775-5423

City Clerk
386-775-5403

City Manager
386-775-5408

Finance
386-775-5430

Fire
386-775-5460

Human Resources
386-775-5457

Parks & Recreation
386-775-5454

Planning
386-775-5415

Police
386-775-9999

Public Works
386-775-5447

Utilities
386-775-5444

Roselyn Brown

From: Chester Murray
Sent: Thursday, August 20, 2009 8:06 AM
To: Roselyn Brown
Cc: Debbie Renner
Subject: FW: VERY IMPORTANT! - PLEASE READ ! - WAV Dissolution

Importance: High

Roz, please prepare this for me to present Tuesday night for council action, thanx...c

From: Mary Swiderski [mailto:mswiderski@co.volusia.fl.us]
Sent: August 19, 2009 1:47 PM
To: Andy Kelly; Anthony Gonzalez; Chester Murray; Don Sherrill; Ed Kelley; Faith Miller; GeorgeSteindoerfer; Jack Sturno; James Dinneen; JeaneenClauss; Joe Yarbrough; Joyce Shanahan; Ken McMillen; Kenneth Parker; Kurt Swartzlander; Leonard Marks; Michael Booker; Michael Carmolingo; Michael Pleus; MikeThomas; Robert Apgar; Roland Via; Ron Brown; TraceyBarlow
Cc: Allen Green; Betty Holness; Bill Partington; Blaine O'Neal; Bob Garcia; Carolyn Ansay; Cheri Schwab; Darla Zakaluzny; Debra Somerford; Frank Bruno; Fred Costello; George Locke; Greg Northrup; Harley Strickland (personal); Harley Strickland; Jack Hayman; Jim McCormick; Mark Reed; Mary Sue Martin; PhilMartin; Ruth Reich H2o; SueWhittaker; Suellen Pope; Ted Cooper; TonyGoudie prsnl.; Tony Goudie town
Subject: VERY IMPORTANT! - PLEASE READ ! - WAV Dissolution
Importance: High

Pursuant to the Board's direction at today's meeting, please immediately forward this email to all WAV member representatives and the manager for each member government.

At today's Water Authority of Volusia (WAV) Board meeting, there was an affirmative vote to move forward with terminating WAV, effective September 30, 2009. Pursuant to Section 4.04 of the WAV Interlocal Agreement, termination can only be effective upon receipt of termination notices from the Member Governments. Once the Acting Executive Director of WAV, Mary Swiderski/VCOG, receives the notices of termination she can provide a notice of pending termination to each Member Government. As described in the Interlocal Agreement and more fully set forth in the WAV agenda packet dated August 19, 2009, once the organization is terminated all net proceeds remaining after any obligations are satisfied will be tendered to each member government in pro rata share (based upon the assessments paid in the last fiscal year).

In order to effectuate the termination of WAV, please provide written notice to WAV at your earliest convenience. The notice need merely state that the following:

"I am writing on behalf of the City/Town/County of _____ and pursuant to Section 4.04 of the Fourth Amended and Restated Interlocal Agreement Creating the Water Authority of Volusia. Please accept this as our "termination notice" as required by Section 4.04 and as evidence of our desire to terminate the Water Authority of Volusia."

The signed termination notice may be sent via mail to the Water Authority of Volusia attention Mary Swiderski or a scanned signed copy of your letter may be sent via email to mswiderski@co.volusia.fl.us. Please do not hesitate to contact me should you have any legal questions or concerns.

Carolyn S. Ansay

Board Certified City, County, and Local

Government Attorney
Doran, Wolfe, Ansay & Kundid
444 Seabreeze Boulevard, Suite 800
Daytona Beach, Florida 32118

T- (386) 253-1111
F- (386) 253-4260

Email: cansay@doranlaw.com

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Peace be with you,
Mary Swiderski - Executive Director
VCOG, Inc (Volusia Council of Governments) & Volusia League of Cities
2570 W International Speedway Blvd., Suite 120
Daytona Beach, FL 32114
Tel: 386-226-0422 Ext 26
Cell Phone: 386-566-6856
FAX: 386-226-0428
Web Site: www.VolusiaCOG.org.

"We cannot change our past. We can not change the fact that people act in a certain way. We can not change the inevitable. The only thing we can do is play on the one string we have, and that is our attitude." ~ "Charles R. Swindoll

Please consider the environment before printing this email!

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