

RESOLUTION NO. 2010-282

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE EXTENSION OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT LP0526 TO JUNE 30, 2011, IN ORDER TO COMPLETE A WASTEWATER IMPROVEMENT PROJECT, AND ASSURE THE DISBURSEMENT OF GRANT FUNDS, AND AUTHORIZING THE BOARD CHAIR OR COUNTY ADMINISTRATOR TO EXECUTE ANY DOCUMENTS OR PAPERWORK NECESSARY TO EFFECTUATE THE GRANT EXTENSION.

RECITALS

WHEREAS, St. Johns County was awarded Department of Environmental Protection Grant LP0526 and entered into this agreement December 1, 2004 for a wastewater improvement project; and

WHEREAS, St. Johns County is eligible for an extension to this agreement with the Department of Environmental Protection to complete a wastewater improvement project and assure the disbursement of grant funds; and

WHEREAS, Staff and the Department of Environmental Protection recognizes the availability of an extension and the benefit to St. Johns County to request an extension to June 30, 2011 to complete a wastewater improvement project and assure the disbursement of grant funds; and

WHEREAS, approval of extending the above-mentioned Grant will positively affect the County's interests..

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA,

Section 1. The above recitals are incorporated by reference into the body of this Resolution, and such Recitals are adopted as Findings of Fact.

Section 2. The Board of County Commissioners hereby approves the extension of the Florida Department of Environmental Protection Grant LP0526, until and through June 30, 2011, in order to complete a wastewater improvement project, and assure the disbursement of funds.

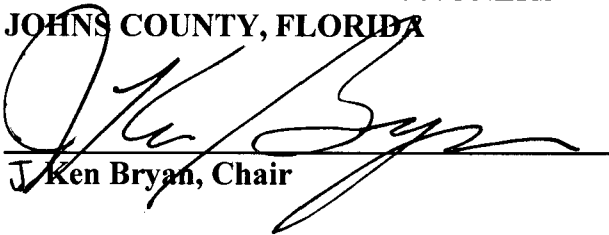
Section 3. The Board of County Commissioners authorizes either the Board Chair, or the County Administrator to execute any documents or paperwork necessary to extend Florida Department of Environmental Protection Grant LP0526, until and through June 30, 2011.

Section 4. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or context of this Resolution, then this Resolution may be revised without subsequent approval of the Board of County Commissioners.

PASSED AND ADOPTED this 7th day of December 2010.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA**

By: _____


Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk

By: Pam Halterman
Deputy Clerk

RENDITION DATE 12/15/10



STATE FINANCIAL ASSISTANCE AGREEMENT
DEP AGREEMENT NO. LP0526
ST. JOHNS COUNTY
AMENDMENT NO. 2

THIS AGREEMENT as entered into on the 4th day of December, 2004, and amended on the 13th day of December, 2006, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and ST. JOHNS COUNTY (hereinafter referred to as the "Grantee" or "Recipient") is hereby amended.

WHEREAS, the Grantee has requested an extension of the term of the Agreement in order to complete the project as planned; and,

WHEREAS, it has been determined that an extension of time to complete the project would be in the best interest of the State; and,

WHEREAS, the Grantee understands that certification forward of State Fiscal Year 2006-2007 funds supporting this Amendment beyond June 30th of each year is subject to the approval of the Governor's Office; and,

WHEREAS, the Grantee has requested an end date that extends beyond the current authorized funding period; and,

WHEREAS, the Grantee understands that if the Governor's Office does not approve the Department's request to certify the funds forward, the Grantee will not be eligible for reimbursement for the activities covered by the remaining unpaid State Fiscal Year 2006-2007 funds; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2. is hereby revised to change the completion date of the Agreement from December 31, 2010, to June 30, 2011, and to include the following language as a separate paragraph.

The Grantee understands and agrees that certification forward of the State Fiscal Year 2006-2007 funds supporting this Agreement beyond June 30th of each year is subject to the approval of the Governor's Office.

2. **Attachment A**, Project Work Plan, is hereby amended to extend the date of completion for the project to June 30, 2011.

3. Section 3. is amended to include the following paragraph.

Written approval from the Department's Grant Manager shall be required for changes between budget categories up to 10% of the total budget. The DEP Grant Manager will transmit a copy of the written approval and revised budget to the DEP Contracts Disbursements Office for inclusion in the Agreement file. Changes greater than 10% will require a formal amendment to the Agreement.

4. Section 5. is hereby deleted in its entirety and replaced with the following;

Progress Reports (**Attachment C**) shall be submitted describing the work performed, problems encountered, problem resolution, schedule updates and proposed work for the next reporting period. Progress reports shall be submitted in conjunction with the Disbursement Request Package, described in paragraph 3.B. If advance payment is authorized, the Grantee shall report (and document as required under paragraph 3 and on the Advanced Payment - Interest Earned Memorandum, **Attachment E**) the amount of funds expended during the reporting period, the Agreement expenditures to date, interest earned during the quarter and clearly indicate the method for repayment of the interest to the Department (see paragraph 15). It is understood and agreed by the parties that the term "reporting period" reflects the period of time for which the invoices submitted in the Disbursement Request Package are covered. The Department's Grant Manager shall have ten (10) calendar days to review deliverables submitted by the Grantee.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 2 to State Financial Assistance Agreement LP0526 shall be executed in two or more counterparts, either of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the State Financial Assistance Agreement to be executed on its behalf by the Deputy Director of the Department and the Grantee has caused this amendment to be executed on its behalf by its Authorized Representative. The effective date of this amendment shall be as set forth below by the Deputy Director of the Department of Environmental Protection, Division of Water Resource Management.

ST. JOHNS COUNTY

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
County Administrator

By: _____
Deputy Director
Division of Water Resource Management

Date: _____

Date: _____

Tommy Williams, DEP Grant Manager

*For Agreements with governmental boards/commissions: If someone other than the Chairman signs this Amendment, a resolution, statement or other document authorizing that person to sign the Amendment on behalf of the Grantee must accompany the Amendment.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road, MS 3505
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

November 12, 2010

Mr. Tom Crawford, Director
Housing and Community Service
St. Johns County
102 M.L. King Avenue
St. Augustine, Florida 32085

Re: LP0526 – St. Johns County
West St. Augustine Funding for Non-Functional Septic Tanks

Dear Mr. Crawford:

Enclosed are two original copies of the proposed Legislative Project grant Amendment 2 for the County's wastewater improvement project. The amendment extends the date of completion for the project.

Please have the County Administrator sign on page 2 of the enclosed two copies. Return both copies to us within three weeks at 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida, 32399-2400. We will arrange for the Deputy Division Director to sign the document and mail a fully executed original to the County.

If you have any questions about the amendment, please call Lekenya Beal at 850/245-8358.

Sincerely,

for Robert E. Holmden, P.E., Chief
Bureau of Water Facilities Funding

RH/lb

Enclosures

cc: Michael Wanchick – St. Johns County
Benjamin Coney – St. Johns County