

RESOLUTION NO. 2013-48

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE TO EXECUTE ALL REQUIRED DOCUMENTS AND DIRECTING STAFF TO SUBMIT APPLICATIONS TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE TOTAL MAXIMUM DAILY LOADS (TMDL) WATER QUALITY RESTORATION GRANT FOR ONGOING COUNTY DRAINAGE PROJECTS; AUTHORIZING COUNTY OFFICERS, EMPLOYEES OR AGENTS OF THE COUNTY TO DO ALL THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

**RECITALS**

WHEREAS, the Department of Environmental Protection (FDEP) annually provides funding for the implementation of best management practices, such as regional stormwater treatment facilities, designed to reduce pollutant loads to impaired waters from urban stormwater discharges. This funding is administered by the Florida Department of Environmental Protection as the TMDL Water Quality Restoration Grant, which is set out by rule in Chapter 62-305, F.A.C. and authorized by Section 403.890(2), F.S.; and

WHEREAS, St. Johns County, Florida (the "County"), recognizes the importance of the grant to provide funding for ongoing county drainage improvement projects. Such projects will benefit the St. Johns River by the reduction of sediment and other nutrients and serve the needs of the County through the other benefits of the eligible uses of the funds from the grant; and

WHEREAS, by this action the County will apply for State-Funded Grants with the Florida Department of Environmental Protection; and

WHEREAS, the County has determined that it is appropriate to complete the application, and develop and administer the grant for the ongoing county drainage improvement projects; and

WHEREAS, these FDEP grant funds may be used for urban stormwater retrofitting projects undertaken by local governments, water management districts, or other government entities, but the grant funds may not be used to provide stormwater treatment for new development or redevelopment activities. Further, all projects will

require a minimum of 50% matching funds with at least 25% of the match coming from the local government (if applicable) and priority for TMDL Water Quality Restoration Grant funds is given to those projects that are ready for construction within the next six months; and

WHEREAS, the Board of County Commissioners of the County (the "Board") deems it necessary, desirable and in the best interests of the County to approve the application and administration of the 2013 TMDL Water Quality Restoration Grant, all in the manner and to the extent hereinafter provided.

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

**Section 1. Incorporation of Recitals.**

The above Recitals are incorporated into the body of this Resolution, and such Recitals are hereby adopted as findings of fact.

**Section 2. Approval and Authorization.**

The Application and Agreement between the County and the Florida Department of Environmental Protection, is hereby approved; and the County Administrator or designee is hereby authorized and directed to execute and deliver the Application and Agreement on behalf of the County, with such changes or modifications as may be approved by the Board.

**Section 3. Authorization for Additional Action.**

The County Administrator, or designee, is hereby authorized and directed to execute and deliver any and all additional documents, certificates and instruments necessary or proper to do and cause to be done any and all acts and things necessary or proper relating to this Resolution and the Application and Agreement as described in this Resolution. Further, actions by County officers, employees or agents which are in conformity with the purposes and intent of this Resolution are approved and confirmed.

**Section 4. Errors and Omissions.**

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

**Section 5. Severability.**

If any provision of this Resolution shall be held or deemed to be illegal, inoperative or unenforceable, the same shall not affect any other provision or cause any other provision to be invalid, inoperative or unenforceable to any extent whatsoever.

**Section 6. Effective Date.**

This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida this 19<sup>th</sup> day of February, 2013.

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

  
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Jay Morris, Chair

**ATTEST: Cheryl Strickland, Clerk**

  
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Deputy Clerk

