

RESOLUTION NO. 2023 – 243

**RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RELATING TO FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING LOAN PROGRAM; APPROVING THE TERMS, PROVISIONS, CONDITIONS AND REQUIREMENTS OF STATE REVOLVING FUND AMENDMENT 1 TO LOAN AGREEMENT WW550160 TO AMEND THE SCHEDULE OF LOAN REPAYMENT ACTIVITIES; AUTHORIZING THE CHAIR TO EXECUTE SUCH LOAN AGREEMENT AMENDMENT ON BEHALF OF ST. JOHNS COUNTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Department of Environmental Protection and St. Johns County previously entered into a State Revolving Fund Loan Agreement, Number WW550130 (“Loan Agreement”), authorizing a Loan amount of \$2,521,850, approved by St. Johns County Resolution No. 2021-170; and

**WHEREAS**, loan repayment activities need to be rescheduled to provide additional time to complete engineering and design; and

**WHEREAS**, amending the Loan Agreement serves as public purpose.

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

**Section 1.** The above Recitals are hereby incorporated into the body of this Resolution, and are adopted as Findings of Fact.

**Section 2.** The Board of County Commissioners of St. Johns County, Florida, hereby approves the terms, provisions, conditions and requirements of State Revolving Fund Amendment 1 to Loan Agreement Number WW550160 and authorizes the Chair of the Board of County Commissioners to execute Amendment 1 on behalf of St. Johns County in substantially the same form as attached.

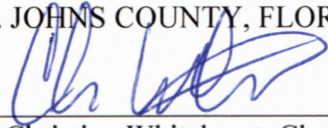
**Section 3.** The St. Johns County Administrator is hereby authorized to provide assurances required by the Loan Agreement, as amended, represent St. Johns County in carrying out St. Johns County’s responsibilities under the Loan Agreement, as amended, execute disbursement requests and delegate responsibility to appropriate St. Johns County staff to carry out technical, financial and administrative activities associated with the Loan Agreement, as amended.

**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 of St. Johns County.

**Section 5.** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** by the Board of County Commissioners of St. Johns County, Florida, this 18<sup>th</sup> day of July, 2023.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:   
Christian Whitehurst, Chair

Rendition Date JUL 19 2023

Attest: Brandon J. Patty,  
Clerk of the Circuit Court & Comptroller

By:   
Deputy Clerk



**STATE REVOLVING FUND  
AMENDMENT 1 TO LOAN AGREEMENT WW550160  
ST. JOHNS COUNTY**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and ST. JOHNS COUNTY, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as “Parties” or individually as “Party”.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW550160; and

Loan repayment activities need rescheduling to give the Local Government additional time to complete design; and

Certain provisions of the Agreement need revision and provisions need to be added to the Agreement.

The Parties hereto agree as follows:

1. Section 8.12 is added to the Agreement as follows:

**8.12. CIVIL RIGHTS.**

The Local Government shall comply with all Title VI requirements of the Civils Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Equal Employment Opportunity requirements (Executive Order 11246, as amended) which prohibit activities that are intentionally discriminatory and/or have a discriminatory effect based on race, color, national origin (including limited English proficiency), age, disability, or sex.

2. Unless repayment is further deferred by amendment of the Agreement, Semiannual Loan Payments as set forth in Section 10.05 shall be received by the Department beginning on March 15, 2025, and semiannually thereafter on September 15 and March 15 of each year until all amounts due under the Agreement have been fully paid.

3. The items scheduled under Section 10.07 of the Agreement are rescheduled as follows:

- (2) Completion of Design Activities is scheduled for September 15, 2024.

- (3) Establish the Loan Debt Service Account and begin Monthly Loan Deposits no later than September 15, 2024.

- (4) The first Semiannual Loan Payment in the amount of \$69,155 shall be due March 15, 2025.

4. All other terms and provisions of the Loan Agreement shall remain in effect.

This Amendment 1 to Loan Agreement WW550160 may be executed in two or more counterparts, any 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 Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for  
**ST. JOHNS COUNTY**

\_\_\_\_\_  
Chairperson

Attest:

Approved as to form and legal sufficiency:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Attorney

SEAL

for  
**STATE OF FLORIDA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

\_\_\_\_\_  
Secretary or Designee

\_\_\_\_\_  
Date