

RESOLUTION NO. 2023-373

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING AND APPROPRIATING \$279,233 IN COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY FUNDS, TITLED CDBG-DR; WITHIN THE FISCAL YEAR 2024 GENERAL FUND BUDGET IN ORDER TO COMPLETE CDBG-DR GRANT CLOSEOUT REQUIREMENTS.

RECITALS

WHEREAS, on February 20, 2018, The County entered into a federally funded CDBG-DR program subgrant agreement with the Florida Department of Economic Opportunity (DEO) to coordinate drainage infrastructure projects and reconstruction of homes damaged from Hurricanes Hermine and/or Matthew; and

WHEREAS, in FY 2023, following completion of the construction phase of the CDBG-DR Housing Program, the County did not did not anticipate needing additional time to complete closeout documentation for the CDBG-DR Program; and

WHEREAS, DEO, renamed “Florida Department of Commerce”, has authorized a contract extension through October 31, 2024 to all allow the County to expend remaining CDBG-DR grant award funding for grant closeout;

WHEREAS, in order to complete the required CDBG-DR grant closeout documentation the County must recognize and appropriate \$279,233 in CDBG-DR Housing Program grant funding within the Fiscal Year 2024 General Fund budget; and

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

- 1.** The above recitals are incorporated by reference into the body of this resolution and such recitals are adopted as findings of fact.
- 2.** The Board of County Commissioners recognizes and appropriates CDBG-DR grant funding of \$279,233 to the Fiscal Year 2024 General Fund Budget.

3. To the extent that there are typographical or administrative errors or omissions that do not change the tone, tenor, or context of this resolution, this resolution may be revised without subsequent approval of the Board of County Commissioners.
4. This resolution shall become effective immediately upon adoption.

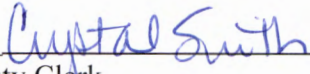
PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County
this 3rd day of October 2023.

Rendition Date OCT 03 2023

BOARD OF COUNTY
COMMISSIONERS OF ST. JOHNS
COUNTY

By: 
Christian Whitehurst, Chair

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

By: 
Deputy Clerk



**AMENDMENT SEVEN
TO SUBRECIPIENT AGREEMENT BETWEEN
THE DEPARTMENT OF COMMERCE
AND
ST JOHNS COUNTY, FLORIDA**

On March 1, 2018, the State of Florida, Department of Commerce (“DEO”), formerly known as the Florida Department of Economic Opportunity and St. Johns County, Florida (“Subrecipient”), entered into Grant Agreement H2338 (“Agreement”). DEO and the Subrecipient may individually be referred to herein as a “Party” or collectively as the “Parties”.

WHEREAS, Section (4), Modification of Agreement, provides that any amendment to the Agreement shall be in writing executed by the Parties thereto; and:

WHEREAS, the Agreement was previously amended on **July 30, 2018, July 18, 2019, September 27, 2019, March 15, 2022, September 22, 2022, and May 22, 2023**; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein;

NOW THEREFORE, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. On July 1, 2023, the Florida Department of Economic Opportunity was renamed to the Florida Department of Commerce (“Commerce”). Effective July 1, 2023, all references throughout the Agreement to “Department of Economic Opportunity” or “DEO” are replaced with “Department of Commerce” or “Commerce”.
2. **Section (3)** is hereby deleted in its entirety and replaced with the following:

(3) Period of Agreement. This Agreement begins on **March 1, 2018** (the “Effective Date”) and ends **October 31, 2024**, unless otherwise terminated as provided in this Agreement. DEO shall not grant any extension of this Agreement unless the Subrecipient provides justification satisfactory to DEO in its sole discretion and DEO’s Director of the Office of Long-Term Resiliency approves such extension.

3. **Section 27, Employment Eligibility Verification**, is hereby deleted in its entirety and replaced with the following:

- A. E-verify is an Internet-based system that allows an employer, using information reported on an employee’s Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States. There is no charge to employers to use E-Verify. The Department of Homeland Security’s E-Verify system can be found at <https://www.e-verify.gov/>.

- B. In accordance with section 448.095, F.S., the State of Florida expressly requires the following:
- 1) Every public agency and its contractors and subcontractors shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public agency or a contractor or subcontractor thereof may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.
 - 2) An employer shall verify each new employee's employment eligibility within three (3) business days after the first day that the new employee begins working for pay as required under 8 C.F.R. 274a. Beginning July 1, 2023, a private employer with 25 or more employees shall use the E-Verify system to verify a new employee's employment eligibility.
- C. If an entity does not use E-Verify, the entity shall enroll in the E-Verify system prior to hiring any new employee or retaining any contract employee after the effective date of this Agreement.

4. **Attachment A – Sections 1.C.h. South Holmes Drainage Improvements and Section 1.C.k. Santa Rosa Stormwater Drainage Improvements** are hereby deleted in its entirety and replaced with the following:

h. South Holmes Drainage Improvements

The proposed improvements consist of increasing the capacity of the storm water drainage system within portions of several neighborhoods of the service benefit area. The roads and adjoining lots within the service benefit area were flooded during Hurricane Matthew. Therefore, the proposed project will reduce flooding by increasing the capacity flow of storm water. The project will improve the storm water drainage system. These improvements include, improve the drainage between South Holmes Boulevard and South Volusia Street along West 15th Street, Collier Boulevard and Puryear Street. Improving the drainage between Volusia Street and Duval Street between 7th and 13th Streets. The construction of the project is broken down into three phases: College Park, Clark Addition and Collier Heights.

- Task List/Scope: The scope of work to be carried out in the project area are as follows:
 - i. Planning
 - a. Contractor Procurement
 - b. Environmental Review
 - c. Verify Current storm water collection system information
 - ii. Design
 - a. Develop topographic survey
 - b. Drainage calculation

- c. Obtain permits
 - d. Develop Construction Plans
 - ii. Construction
 - a. Increase storm water channel capacity
 - b. Replace the existing Elliptical Corrugated Metal Pipe (ECMP) with double 48" Elliptical Reinforced Concrete Pipe (ERCP)
 - c. Mill and resurface road on either side of the culvers replacement, regrade road as needed
 - d. Construction of new conveyance system to direct storm water in accordance with plans

k. Santa Rosa Stormwater Drainage Improvements

Project will be located in the area of the Santa Rosa subdivision along Murillo Avenue, Estrada Avenue down through Masters Drive in St. Augustine, FL. The existing storm water infrastructure is undersized and inadequate, which cause the roads and adjoining lots to flood. This project proposes to relieve flooding issues in the drainage basin south of SR 16, improve the conveyance along Murillo Avenue and Estrada Avenue and create conveyance improvements at the Masters Drive outfall. This project will help alleviate flooding issues that would potentially inhibit access to a primary emergency evacuation route, (SR 16)

- Task List/Scope: The scope of work to be carried out in the project area are as follows:
 - i. Planning
 - a. Complete and Environmental Review of the project area
 - b. Procure a design contractor to develop project plans
 - c. Procure a contractor to perform the construction
 - ii. Design
 - a. Obtain permits as needed for construction of storm water system improvements
 - iii. Construction
 - a. Construct a new Reinforced Concrete Pipe (RCP) system along Estrada Avenue from El Rey Avenue to Murillo Avenue
 - b. Upsize the existing RCP outfall to the San Sebastian River (Masters Drive)
 - c. Construct additional RCP along Murillo Avenue.

5. This agreement is hereby reinstated as though it had not expired.

6. All other terms and conditions remain in effect.

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IN WITNESS HEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of DEO Agreement Number H2338, as amended.

ST. JOHNS COUNTY, FLORIDA	DEPARTMENT OF COMMERCE
SIGNED:	SIGNED:
CHRISTIAN WHITEHURST	J. ALEX KELLY
CHAIRMAN	SECRETARY
DATE:	DATE:

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

**OFFICE OF GENERAL COUNSEL
DEPARTMENT OF COMMERCE**

By: _____
Approved Date: _____