

RESOLUTION 20-

A RESOLUTION OF BREVARD COUNTY, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR FUNDING FOR THE WEST COCOA WASTEWATER IMPROVEMENTS PROJECT; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of wastewater treatment facilities; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative, to provide assurances of compliance with loan program requirements, and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. WW05117 for the West Cocoa Improvements Project as eligible for available funding; and

WHEREAS; Brevard County, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF BREVARD COUNTY, FLORIDA, AS FOLLOWS:

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. Brevard County, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on the County's Water and Sewer System Revenue Bonds, series 2014, the 2015 State Revolving Fund Loan for the South Central Plant Expansion (Project #WW051100) and the 2019 State Revolving Fund Loan for the Riverside Drive Force Main Replacement (Project #WW051130).

SECTION IV. The County Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION V. The County Manager is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The County Manager is authorized to represent the County in carrying out the County's responsibilities under the loan agreement. The County Manager is authorized to delegate responsibility to appropriate County staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION VI. The legal authority for borrowing moneys to construct this Project is Section 125.01, Florida Statutes.

SECTION VII. All Resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION VIII. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION IX. This Resolution shall become effective immediately upon its passage and adoption.

DONE ORDERED and ADOPTED this 5th Day of May 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS OF
BREVARD COUNTY, FLORIDA

Scott Ellis, Clerk

Bryan Lober, Chair
Brevard County Commission

Approved for legal form and content:



Abigail Forrester Jorandby
Assistant County Attorney

(As approved by the Board on May 5, 2020)