



## **RESOLUTION NO. 2023-13**

**A RESOLUTION OF CITY OF THE CITY OF NEPTUNE BEACH, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; 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. LS 16012 as eligible for available funding; and

**WHEREAS**, the City of Neptune Beach, 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 CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, AS FOLLOWS:**

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

**SECTION II.** The City of Neptune Beach, 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 revenue after payment of debt service on the City's Series 2013A Water and Sewer Revenue Note.

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

SECTION V. The Mayor 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 Mayor is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate City 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 403.8532, Florida Statutes.

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 All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

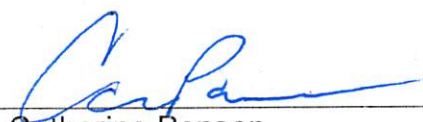
SECTION VIII. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

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

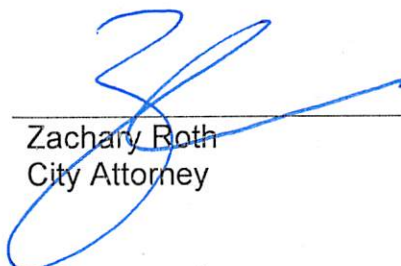
PASSED and ADOPTED this 16<sup>th</sup> day of October, 2023

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY



Catherine Ponson  
City Clerk



Zachary Roth  
City Attorney



Elaine Brown  
Mayor