

RESOLUTION NO. 2020-14

A RESOLUTION OF THE CITY OF GULFPORT, FLORIDA, RELATING TO THE STATE REVOLVING FUND (SRF) PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION AND LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING FOR A BUDGET AMENDMENT; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of water pollution control 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 compliances with loan program requirements, and to enter into a loan agreement; and

WHEREAS, The City is eligible for funding from the State Revolving Fund (SRF) and intends to enter into a loan agreement with the Department of Environmental Protection (FDEP) under the State Revolving Fund (SRF) for the Lift Station No. 2 Force Main Extension and Pumping Project (i.e. Bypass Project) financing.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GULFPORT, FLORIDA:**

**Section 1.**

The City Council hereby authorizes an application for a loan from the Florida Department of Environmental Protection, State Revolving Fund Program to finance the Lift Station No. 2 Force Main Extension and Pumping Improvements Project and approves the associated Budget Amendment as attached hereto and made a part hereof as Exhibit A (Exhibit B provides a summary of SRF loans).

**Section 2.**

The revenues pledged for repayment are the gross revenues derived yearly from the operation of the water and wastewater utilities system (identified as the Water and Sewer Fund) after payment of the operation and maintenance expense and the satisfaction of all yearly payment obligations on account of the senior revenue obligations not to exceed \$450,000 per year.

**Section 3.**

The Mayor is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

**Section 4.**

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 City Manager is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Manager is authorized to delegate responsibility to appropriate City Staff to carryout technical, financial, and administrative activities associated with the loan agreement.

**Section 5.**

The legal authority for borrowing moneys to construct this project is Florida Statutes 166.111.

**Section 6.**

Conflicts: All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**Section 7.**

Severability: 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 8.**

Effective Date: This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 3<sup>rd</sup> day of March, 2020 by the Council of the City of Gulfport, Florida.

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Samuel Henderson, Mayor

ATTEST:

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Lesley DeMuth, City Clerk

Approved: 3-3-2020

APPROVED AS TO FORM AND LEGALITY

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Andrew Salzman, City Attorney