

ORDINANCE 2019-03

AN ORDINANCE OF THE CITY OF ST. PETE BEACH, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION IN AN AMOUNT NOT TO EXCEED \$15 MILLION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, CONSTRUCTION, PUBLICATION AND AN EFFECTIVE DATE.

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

WHEREAS, the Florida Administrative Code requires 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. 52031 as eligible for available funding; and

WHEREAS, the City of St. Pete 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, THE CITY COMMISSION OF THE CITY OF ST. PETE BEACH, FLORIDA, HEREBY ORDAINS:

Section One. The above recitals (“Whereas” clauses) are hereby adopted as legislative findings, purpose and intent of the City Commission.

Section Two. The City of St. Pete Beach, Florida, is authorized to apply for a loan to finance the Project.

Section Three. The revenues pledged for repayment of the loan are net Wastewater Fund utility operating revenues after payment of debt service on the City’s current long-term financing obligations: Wastewater Utility System Revenue Bonds, Series 2015; Clean Water State Revolving Fund Loan Agreement CS12069612P; Clean Water State Revolving Fund Loan Agreement WW69613P; and capital lease dated November 17, 2015.

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

Section Five. The City 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 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 carry out technical, financial, and administrative activities associated with the loan agreement.

Section Six. All Ordinances or part of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed to the extent of any conflict with the Ordinance.

Section Seven. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, unlawful, or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding of any part.

Section Eight. This Ordinance is to be liberally construed to accomplish its objectives.

Section Nine. This Ordinance shall be published in accordance with the requirements of law.

Section Ten. This Ordinance shall become effective immediately upon its passage and adoption.

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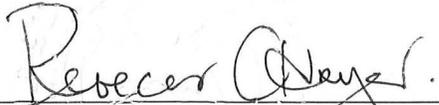
FIRST READING:	10/08/2019
PUBLISHED:	10/11/2019
SECOND READING:	10/22/2019
PUBLIC HEARING:	10/22/2019

CITY COMMISSION, CITY OF ST. PETE
BEACH, FLORIDA



Alan Johnson, Mayor

I, Rebecca C. Haynes, City Clerk of the City of St. Pete Beach, Florida, do hereby certify that the foregoing Ordinance was duly adopted in accordance with the provisions of applicable law this 22nd day of October, 2019.



Rebecca C. Haynes, City Clerk

APPROVED AS TO LEGAL FORM AND CORRECTNESS:



Andrew Dickman, City Attorney