

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING LOAN APPLICATIONS IN THE ESTIMATED AMOUNT OF \$3,776,652 WITH PRINCIPAL FORGIVENESS IN THE AMOUNT OF \$1,470,000 (INCLUDING CAPITALIZED INTEREST AND LOAN SERVICE FEES) FOR THE LEAD AND COPPER RULE COMPLIANCE PROJECT; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS AND SEVERABILITY.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of water 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 City's public water system is regulated by the federal Safe Drinking Water Act, which has established protective drinking water standards for more than 90 contaminants, including lead and copper; and

WHEREAS, in October 2021, the Environmental Protection Agency revised the existing Lead and Copper Rule ("LCCR") to enhance implementation in the areas of monitoring, treatment, customer awareness, and lead service line replacement; and

WHEREAS, all public water systems must develop a service line inventory ("SLI") that documents the service line materials on both the utility and customer-owned portions of all water lines and submit related documentation to the state on or before October 16, 2024; and

WHEREAS, the City is procuring professional engineering consulting services and general contractor services to develop a comprehensive SLI; and

WHEREAS, the Florida Department of Environmental Protection ("FDEP") State Revolving Fund ("SRF") loan program has funding available for projects designed to bring public water systems in compliance with revisions to the LCCR; and

WHEREAS, the SRF loan priority list designates Project No. LS-0604E as eligible for available funding and principal forgiveness; and

WHEREAS, the City intends to enter into a loan agreement with the FDEP for SRF financing in the estimated amount of \$3,776,652 with principal forgiveness in the amount of \$1,470,000, including capitalized interest and loan service fees of \$146,652; and

WHEREAS, the Department recommends that the City Commission authorize the appropriate City officials to enter into a loan agreement with FDEP SRF for project financing in the estimated amount of \$3,776,652 and principal forgiveness in the amount of \$1,470,000, including capitalized interest and loan service fees for the LCCR compliance project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporate in this Resolution.

Section 2: That the City is authorized to apply for a loan to finance the Lead and Copper Project with the Department of Environmental Protection.

Section 3: That the revenues pledged for the repayment of the loan are net water and sewer utility system revenues after payment of debt service on the City's Series 2020 and 2016 Water and Sewer Revenue Bonds and the State of Florida Revolving Fund Loans issued through 2023.

Section 4: That the City Manager is designated as the authorized representative to provide the assurances and commitments required by the loan application.

Section 5: That the City Manager is 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.

Section 6: That 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 7: That the legal authority for borrowing monies for this project is the Florida Statutes.

Section 8: That all resolutions or part of resolutions in conflict with any of the provisions of this Resolution are repealed.

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Section 9: That if any section or portion of a section of this Resolution is found 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 10: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

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DOUGLAS R. GONZALES  
CITY ATTORNEY