

**CITY OF MARIANNA
COMMISSION AGENDA MEMO
REGULAR MEETING
June 4, 2019**

ADMINISTRATIVE STAFF REPORT

- Subject:** Florida Department of Environmental Protection (FDEP)
State Revolving Fund (SRF)
Amendment 2 to Loan Agreement DW320240
- Subject Background:** The City received a Grant and Loan from FDEP to construct solar array at the waste water treatment plant and spray field. The combined grant and loan is \$4,662,018, with an interest rate of 0%.
- FDEP has agreed to defer any payment for 18 months and payments will resume on May 15, 2021.
- Recommendation:** The Amendment to the Grant Agreement is a requirement by FDEP, it has been reviewed by staff and the City Attorney and found to be acceptable. It is recommended the City execute Amendment 3 to the Grant Agreement DW320240.
- Potential Motion:** I move to approve execution of Amendment 2 to Grant Agreement DW320240.

Approved for agenda by:

**STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT WW320240
CITY OF MARIANNA**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF MARIANNA, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as "Parties" or individually as "Party".

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW320240, as amended; and

Executive Order No. 18-276 and 18-277 declared a state of emergency in Florida due to Hurricane Michael which made landfall on October 10, 2018 and the Department adopted Emergency Order OGC No. 18-1409 to address such emergency conditions; and

The Department has the authority to provide Loan repayment activity rescheduling to allow the Local Government time to recover from hurricane damage; and

The Local Government has requested and the Department has agreed to loan revisions to allow the Local Government to address immediate health and safety needs attributed to Hurricane Michael.

The Parties hereto agree as follows:

1. The Loan Debt Service Account requirement set forth in Section 3.01 of the Agreement is suspended for a period of 18 months and shall resume six months prior to the next Semiannual Loan Payment, scheduled below.

2. Section 10.04 of the Agreement is deleted and replaced as follows:

The Loan term shall be 12 years, which includes the period of suspension of repayment activities.

3. Repayment activities, including interest, will be suspended for a period of two years. Semiannual Loan Payments in the amount of \$797.80 shall resume and be received by the Department beginning on May 15, 2021, and semiannually thereafter on November 15 and May 15 of each year until all amounts due under the Agreement have been fully paid.

4. All other terms and provisions of the Loan Agreement shall remain in effect.

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This Amendment 2 to Loan Agreement WW320240 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this amendment to the Loan Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this amendment to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this amendment shall be as set forth below by the Department.

for
CITY OF MARIANNA

Mayor

Attest:

Approved as to form and legal sufficiency:

City Clerk

City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date