

**BOARD AGENDA ITEM SUMMARY**

**7g**

MEETING DATE: **February 2, 2023**

SUBJECT: **SRF Loan Application/Facility Planning Application**

CATEGORY:  Consent

Discussion

Action

CONTACT PERSON: **Lisa Hawkins**

DEPARTMENT: **Finance**

ITEM: **SRF Loan Application/Facility Planning Application**

PURPOSE / JUSTIFICATION: **Englewood Water District plans to apply for funds with the FDEP State Revolving Fund Loan Program to fund the design and construction phases of our new North Wastewater Reclamation Facility. The SRF program provides low interest loans for planning, design and construction of wastewater and drinking water facilities. To qualify for construction funding, a Facilities Plan must be completed and then approved by FDEP. Since EWD is new to SRF, our consultant, Angie Brewer and Associates, recommended that we apply for a small loan to complete the Facilities Plan. The requested loan amount would be \$100,000. While we may not need a loan to complete this plan, it would allow us to become comfortable with the loan process while getting our project out there for future loan cycles. By submitting the loan application, we are not committing ourselves to taking the loan and could withdraw our application at any time.**

MOTION: **To authorize the Chair to sign and Secretary to the Board attest the Resolution relating to the Florida Department of Environmental Protection State Revolving Fund Loan Program.**

Prepared By: **Teresa Herzog**

Date: **January 27, 2023**

**Approvals:**

\_\_\_\_\_  
Administrator

\_\_\_\_\_  
Finance

\_\_\_\_\_  
Technical Support

\_\_\_\_\_  
Water Operations

\_\_\_\_\_  
Wastewater Operations

ACTION TAKEN BY BOARD:  Denied  Approved / Resolution No: \_\_\_\_\_

ATTACHMENTS: **Loan Documents Delivered Electronically  
Resolution  
Attorney's Letter**

**RESOLUTION NO \_\_\_\_\_**

**A RESOLUTION OF THE ENGLEWOOD WATER DISTRICT BOARD OF SUPERVISORS, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AN AUTHORIZED REPRESENTATIVE; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS:** Florida Statutes provide for loans to finance the planning, design, and 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. WW58032 as eligible for available funding; and

**WHEREAS:** The Englewood Water District intends to conduct planning activities (the “Project”) required to make necessary wastewater system improvements; and,

**WHEREAS:** The Englewood Water District intends to enter into a loan agreement with the Florida Department of Environmental Protection under the State Revolving Fund for project financing.

**BE IT RESOLVED BY THE ENGLEWOOD WATER DISTRICT BOARD OF SUPERVISORS:**

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

**SECTION II.** The Englewood Water District is authorized to apply for a loan to finance the Project.

**SECTION III.** The revenues pledged for the repayment of the loan are the gross revenues derived annually from the operation of the water and wastewater systems after payment of the operation and maintenance expenses and the satisfaction of all annual senior debt payments for the obligations listed below:

- Englewood Water District Utility System Revenue Bond, Series 2008 (Resolution No. 08-05-1A)

**SECTION IV.** The Englewood Water District Administrator (the “Administrator”) is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

**SECTION V.** The Administrator is hereby designated as the authorized representative to execute the loan agreement and any subsequent amendments which will become a binding obligation in accordance with its terms when signed by both parties.

**SECTION VI.** The Administrator is authorized to represent the Englewood Water District in carrying out responsibilities under the loan agreement. The Administrator is authorized to delegate responsibility to appropriate staff to carry out technical, financial, and administrative activities associated with the loan agreement.

**SECTION VII.** The legal authority for borrowing moneys for this Project is Section 403.1835, Florida Statutes.

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

**SECTION IX.** 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 X.** This Resolution shall be effective immediately upon its adoption.

**PASSED AND RESOLVED** by a \_\_\_\_\_ vote of the Englewood Water District Board of Supervisors on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ENGLEWOOD WATER DISTRICT

By: \_\_\_\_\_

Name: Taylor Meals

Title: Chair, Board of Supervisors

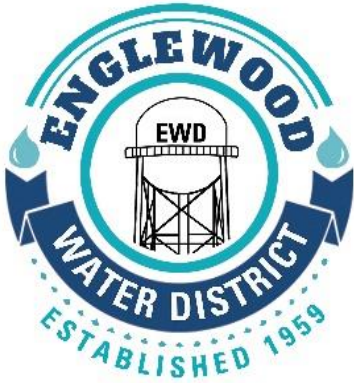
ATTEST:

\_\_\_\_\_  
Teresa Herzog, Secretary

APPROVED AS TO FORM:

---

Attorney



**Board of Supervisors**

Taylor Meals, Chair  
Robert C. Stern, Jr., Vice-Chair  
Sydney B. Crampton  
Phyllis Wright  
Lani Gaver

Ray Burroughs  
Administrator

**Englewood Water District**

201 Selma Avenue  
Englewood, FL 34223-3443  
Phone: 941-474-3217  
Toll Free: 866-460-1080  
Fax: 941-460-1025  
Email: [info@englewoodwater.com](mailto:info@englewoodwater.com)  
Website: [englewoodwater.com](http://englewoodwater.com)

January 31, 2023

Ms. Angela Knecht  
Program Administrator  
State Revolving Fund Management  
3900 Commonwealth Blvd., Mail Station 3505  
Tallahassee, Florida 32399-3000

Re: WW58032 – Englewood Water District  
Wastewater System Improvements

Dear Ms. Knecht:

I am the duly appointed Attorney for the Englewood Water District (the “District”). The District proposes to borrow \$100,000.00, excluding capitalized interest and loan service fee, from the Florida Department of Environmental Protection’s State Revolving Fund for planning of the District wastewater system improvements.

It is my understanding that the loan will be secured by the gross revenues derived annually from the operation of the water and wastewater systems after payment of the operation and maintenance expenses and the satisfaction of all annual senior debt payments. Such revenues are legally available to pledge, and the District has the legal authority to increase rates to ensure repayment of the proposed loan.

Any pledge of such revenues would be subject to a prior lien with the following issues:

- Englewood Water District Utility System Revenue Bond, Series 2008 (Resolution No. 08-05-1A)

Sincerely,

Robert H. Berntsson, Esq., District Counsel