

AGENDA ITEM
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PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 6, 2009 Consent [] Regular [X]
Public Hearing []
Submitted By: Water Utilities Department
Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: (A) Amendment No. 1 to the Clean Water State Revolving Fund Construction Loan Agreement No. WW501100 with the Glades Utility Authority (GUA) and the State of Florida Department of Environmental Protection (Department), contingent upon approval by the Department; (B) Amendment No. 1 to the Clean Water State Revolving Fund Construction Loan Agreement No. WW501101 with the GUA and the Department, contingent upon approval by the Department; and (C) Amendment No. 1 to the Clean Water State Revolving Fund Construction (CWSRF) Loan Agreement No. WW501000 with the GUA and the Department, contingent upon approval by the Department.

Summary: On July 7, 2009, the Board of County Commissioners approved the Clean Water State Revolving Fund Construction Loan Agreements No. WW501100 (R2009-1125) and No. WW501101 (R2009-1126) with the City of Pahokee (Pahokee) and the Department, and No. WW501000 (R2009-1127) with the City of South Bay (South Bay) and the Department (collectively, CWSRF Agreements). The CWSRF Agreements are for stimulus funding from the American Recovery and Reinvestment Act of 2009 to fund system improvement projects in Pahokee and South Bay. The Department required the County to execute the CWSRF Agreements due to the County's covenant to budget and appropriate funds to repay principal and interest should Pahokee and South Bay default on their obligations to repay the loan portions of the CWSRF Agreements. The County's covenant to budget and appropriate is set forth in the Interlocal Agreements approved by the County on June 2, 2009 with Pahokee (R2009-0950) and South Bay (R2009-0951)(collectively, CWSRF Interlocals). As part of the creation of the GUA, and as contemplated in the CWSRF Interlocals, the CWSRF Agreements are now being transferred to the GUA, and the Department is again requiring the County to execute these amendments, as the County's covenant to budget and appropriate survives the transfer of the CWSRF Agreements to the GUA. Countywide (MJ)

Background and Justification: the County approved the creation of the GUA on June 16, 2009 (R2009-1034.) The GUA is a regional partnership established for the purpose of providing water, wastewater, and reclaimed water services to the residents of the Cities of Belle Glade, Pahokee, and South Bay and surrounding areas in an efficient and fiscally responsible manner.

Attachments:

- 1. Five (5) Originals Amendment No. 1 to Loan Agreement No. WW501100
- 2. Five (5) Originals Amendment No. 1 to Loan Agreement No. WW501101
- 3. Five (5) Originals Amendment No. 1 to Loan Agreement No. WW501000

Recommended By: Burt Bunker 10/1/09
Department Director Date
Approved By: Shannon G. [Signature] 10/5/09
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Transfer to Other Governments	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Operating Expenses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
External Revenues	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Program Income (County)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
In-Kind Match County	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
NET FISCAL IMPACT	*<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account No.: **Fund** **Dept** **Unit** **Object**

Is Item Included in Current Budget? Yes No

Reporting Category N/A

B. Recommended Sources of Funds/Summary of Fiscal Impact:

* This item has no fiscal impact. The amendments are only to transfer the CWSRF agreements to the GUA.

C. Department Fiscal Review: See Report

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

[Signature] 10/24/09
OFMB 10/2/09

[Signature] 10/2/09
Contract Development and Control

B. Legal Sufficiency:

This item complies with current County policies.

[Signature] 10/2/09
Assistant County Attorney

C. Other Department Review:

Department Director