

**RESOLUTION NO. 2015-56**

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE FACILITIES PLAN INCLUDING THE BUSINESS PLAN DEVELOPED BY KIMLEY-HORN AND ASSOCIATES, INC. FOR THE VILLAGE WATER MAIN REHABILITATION PROGRAM AS PART OF THE STATE FUNDING REQUIREMENTS; RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING LOAN FUND PROGRAM; PROVIDING FOR THE IMPLEMENTATION OF THE WATER MAIN REHABILITATION PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY VILLAGE MANAGER FRANK K. ROLLASON)**

**WHEREAS**, Florida Statutes provides for loans to local government agencies to finance the Water Main Rehabilitation Program; 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 requires the Village to submit a Facilities Plan including the Business Plan describing the existing conditions, the proposed work and why it is needed, discuss the alternatives considered and why the selected alternative was chosen; describe the environmental effects/benefits, provide a cost estimate of the selected plan and provide the proposed implementation schedule; and

**WHEREAS**, formal approval of the Water Main Rehabilitation Program Facility Plan including the Business Plan is required in order for North Bay Village to participate in the State Revolving Loan Fund Program; and

**WHEREAS**, the Village Commission desires to formally approve the Water Main Rehabilitation Program Facility Plan including the Business Plan, a copy of which is attached hereto and incorporated herein as Exhibit "A", and desires to make certain improvements to its water system as more fully described in the Plan; and

**WHEREAS**, the Village Commission concurs with the findings and summary of necessary improvements that are described in the Facility Plan for the purpose of improving water facilities, supply, usage and control for the residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and incorporated herein by this reference.

**Section 2. Approval of the Facilities Plan.** The Village Commission of North Bay Village, Florida, is authorized to approve, and does hereby approve, the Water Main Rehabilitation Program Facility Plan including the Business Plan, a copy of which is attached hereto and incorporated herein as Exhibit "A". The said Facility Plan is approved pursuant to the State Revolving Loan Fund Program for the purpose of making improvements to the Village's water facilities, supply, usage and control for the residents.

**Section 3. Authorization of Village Officials.** The Village Manager and/or his designee and the Village Attorney are authorized and directed to execute the said Facility Plan, including any and all papers and documents necessary and incidental thereto.

**Section 4. Implementation of the Plan.** The Village Manager is further designated to be the Village's representative who is authorized to provide the assurance and commitments that will be required by the said Facility Plan; and to represent the Village in carrying out the Village's responsibilities under the Plan, including the authority to delegate responsibility to appropriate Village staff to carry out the various technical, financial and administrative activities associated with implementing the Plan

**Section 5. Repeal.** All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict herewith are repealed to the extent of such conflict.

**Section 6. Severability.** 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 7. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Richard Chervony, who moved for its adoption. This motion was seconded by Vice Mayor Jorge Gonzalez, and upon being put to a vote, the vote was as follows:

**FINAL VOTE AT ADOPTION:**

Mayor Connie Leon-Kreps	<u>Yes</u>
Vice Mayor Jorge Gonzalez	<u>Yes</u>
Commissioner Richard Chervony	<u>Yes</u>
Commissioner Andreana Jackson	<u>Yes</u>
Commissioner Eddie Lim	<u>Absence</u>

**DULY PASSED AND ADOPTED** this 12th day of July, 2016.



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Connie Leon-Kreps, Mayor

**ATTEST:**



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Yvonne P. Hamilton  
Village Clerk

**APPROVED AS TO FORM FOR THE USE OF NORTH BAY VILLAGE ONLY:**



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Robert L. Switkes & Associates, P.A.  
Village Attorney

North Bay Village Resolution: Facilities Plan Water Main Rehabilitation Program.