

## **RESOLUTION NUMBER 2020-\_\_\_\_\_**

### **A RESOLUTION OF THE AMERICAN BEACH WATER AND SEWER DISTRICT OF NASSAU COUNTY, FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF); ADOPTION OF THE WATER AND WASTEWATER FACILITY PLAN FOR THE IMPLEMENTATION OF POTABLE WATER AND GRAVITY SEWER SYSTEM IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Florida Statutes provide for loans to local government agencies to finance the construction of water and wastewater facilities; and Florida Administrative Code requires the formal authorization by the American Beach Water and Sewer District (“District”) to formally adopt a facility plan outlining necessary potable water and gravity sewer system improvements to comply with State of Florida funding requirements; and

**WHEREAS**, formal adoption of the proposed Facility Plan is required for Nassau County to participate in the State Revolving Loan Fund Program; and

**WHEREAS**, the American Beach Water and Sewer District of Nassau County, Florida agrees with the findings and summary of necessary improvements as outlined in the Facility Plan for the purpose of constructing a new potable water distribution system and a new gravity sewer collection system;

**NOW THEREFORE BE IT RESOLVED** by the Governing Board of the District, the Board of County Commissioners (“Board”) of Nassau County, Florida formally approves and adopts the American Beach Facilities Plan as written and presented to the Board, attached herewith as Appendix A;

#### **SECTION 1. FINDINGS**

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

The Improvement District is authorized to approve the proposed Facility Plan.

The Board Chairperson is hereby designated as the authorized representative to provide the assurances and commitments that will be required by the Facility Plan.

The Board Chairperson is hereby designated as the authorized representative to execute the Facility Plan which will become the foundation of all activities related to the water and wastewater facility improvements. The Board Chairperson is authorized to represent the District in carrying out the District’s responsibilities under the Facility Plan. The Board Chairperson is authorized to delegate responsibility to appropriate Nassau County staff to carry out technical, financial, and administrative activities associated with the Facility Plan.

The legal authority for adoption of this facility plan is pursuant to the District's enabling County Ordinance.

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

If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidated or impair the validity, force, or effect or any other section or part of this Resolution.

**SECTION 2. EFFECTIVE DATE**

This Resolution shall take effect upon its approval and adoption by the Improvement District.

**APPROVED AND ADOPTION THIS 23<sup>RD</sup> DAY OF SEPTEMBER, 2020.**

**AMERICAN BEACH WATER AND SEWER  
DISTRICT  
NASSAU COUNTY, FLORIDA**

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**DANIEL B. LEEPER**  
**CHAIRPERSON (SEAL)**

**ATTEST:**

**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:**

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**JOHN A. CRAWFORD**  
**EX-OFFICIO CLERK**

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**MICHAEL S. MULLIN**  
**COUNTY ATTORNEY**