

RESOLUTION NO. 2017-285

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A COST-SHARE AGREEMENT CONTRACT AMENDMENT FOR TIME EXTENSION BETWEEN ST. JOHNS COUNTY, FLORIDA, AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, PURSUANT TO THE DISTRICT'S COOPERATIVE COST-SHARE INITIATIVE PROGRAM; AND AUTHORIZING THE COUNTY ADMINISTRATOR OR DESIGNEE TO EXECUTE THE AMENDMENT ON BEHALF OF ST. JOHNS COUNTY

WHEREAS, St. Johns River Water Management District (District), and St. Johns County, Florida (County) desire to enter into a Contract Amendment to the Cost-Share Agreement for the City of St. Augustine Beach Reuse Main in order to extend the contract time and complete the project; and

WHEREAS, by executing the proposed Amendment to the Cost-Share Agreement (Resolution No. 2016-287, Contract #28778) for the City of St. Augustine Beach Reuse Main with the District, the County will receive a public benefit by enhancing the County's reclaimed water system, thus off-setting potable irrigation demand on limited groundwater supply and reducing nutrient loading into waterways; and

WHEREAS, the District has submitted proposed Contract Amendment to the Cost-Share Agreement for the County's approval and execution; and

WHEREAS, the County has determined that accepting the terms of the Cost-Share Agreement Amendment will serve the interests of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are hereby incorporated into the body of this Resolution, and are adopted as findings of fact.

Section 2. The Board of County Commissioners hereby approves the terms, provisions, conditions, and requirements of the proposed Amendment to the Cost-Share Agreement between St. Johns County, Florida, and the St. Johns River Water Management District (Contract #28778, The City of St. Augustine Beach Reuse Main).

Section 3. The Board of County Commissioners authorizes the County Administrator, or designee, to execute cost share agreements in substantially the same form and format as described herein and attached hereto.

Section 4. To the extent that there are typographical and/or administrative errors and/or omissions that do not change the tone, tenor, or context of this Resolution, then this Resolution may be revised, without subsequent approval of the Board of County Commissioners.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, Florida, this 5th day of September, 2017.

**BOARD OF COUNTY COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

Attest: Hunter S. Conrad, Clerk

Sam Halterman

Deputy Clerk

By:

[Signature]
James K. Johns, Chair

RENDITION DATE 9/2/17



**AMENDMENT 1 TO THE COST SHARE AGREEMENT BETWEEN
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
AND ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS
FOR ST. AUGUSTINE BEACH RECLAIMED WATER TRANSMISSION MAIN PROJECT**

THIS AMENDMENT is entered into by and between the GOVERNING BOARD of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (the "District"), whose mailing address is 4049 Reid Street, Palatka, Florida 32177-2571, and ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ("Recipient") whose address is 1205 State Road 16, St. Augustine, Florida, 32084, and is effective on the date the last party has executed same.

PREMISES:

The parties entered into Agreement No. 28778 on October 4, 2016 to provide funding for the St. Augustine Beach Reclaimed Water Transmission Main project ("Agreement"). The parties desire to amend the Agreement.

NOW, THEREFORE, in consideration of the above premises, which are hereby made a part of this amendment, the mutual covenants contained herein, and other good and valuable consideration, the parties hereby agree to amend the Agreement as follows:

1. Paragraph 1(a) TERM: WITHDRAWAL OF OFFER: delete this paragraph and replace it with the following paragraph:
 - (a) The term of this Agreement is from October 4, 2016 ("Effective Date") until January 31, 2018 ("Completion Date"). Time is of the essence for every aspect of this Agreement, including any time extensions. All provisions of this Agreement that by their nature extend beyond the Completion Date shall survive the termination or expiration of this Agreement.
2. All other terms and conditions of the Agreement, including any subsequent amendments, are hereby ratified and continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have duly executed this amendment on the date set forth below.

ST. JOHNS RIVER WATER
MANAGEMENT DISTRICT

ST. JOHNS COUNTY

By: _____
Ann B. Shortelle, Ph.D., Executive Director or
Designee

By: _____

Typed Name and Title

Date: _____

Date: _____

Attest: _____

Typed Name and Title