

**City of Marianna
Special City Commission Meeting
September 18, 2023
5:01 PM
Old City Hall Commission Room
2897 Jefferson Street
Marianna, FL 32446**

1. Call To Order

2. Roll Call

Mayor and Commissioners

John Roberts - Mayor/Commissioner District 2

Rico Williams - Mayor Pro Tem/Commissioner District 4

Travis H. Ephriam - Commissioner District 1

Kenneth Hamilton - Commissioner District 5

Allen Ward, II - Commissioner District 3

3. Invocation And Pledge To The Flag

4. Approval Of Agenda (Additions Or Deletions)

Addition:

Item #5B - Potable Water Project - Grant #M0101

Amendment No. 1 for Direct Payments

5. Public Hearing

5.A. Public Hearing - Final Millage Rate & Budget

Resolution 2023-33 & Resolution 2023-34

Documents:

[AGENDA - FINAL MILLAGE_BUDGET.PDF](#)

[RES. NO. 2023-33.PDF](#)

[RES. NO. 2023-34.PDF](#)

6. Other Policy Matters

6.A. Florida Department Of Environmental Protection (FDEP)

State Revolving Fund (SRF)

Amendment 2 - Loan Agreement WW320252

Wastewater Treatment Plant (WWTP)

Documents:

[AGENDA FDEP SRF WWTP IMPROVEMENTS.PDF](#)

[MARIANNA WW320252.SG320253 A2.PDF](#)

6.B. Potable Water Project - Grant #M0101

Community Development Block Grant-Disaster Relief (CDBG-DR)
Amendment No. 1 - Direct Payments

Documents:

[AGENDA - M0101_A1.PDF](#)
[M0101-A1.PDF](#)

7. Adjourn

The City of Marianna is an Equal Opportunity Employer and a Drug-Free Workplace. In accordance with the adopted Section 504 Policy, the City will take affirmative steps to reasonably accommodate the disabled and ensure their needs are equitably represented in City programs and activities. Pursuant to Title VI and the Civil Rights Act of 1964, the City will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, language, income or family status. For assistance with EEO, Title VII or Section 504 matters contact Stormie Bigham at 850-482-4353. The City also has a Fair Housing Ordinance. For assistance with Fair Housing matters contact Kay Dennis at 850-482-2786. In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this meeting should contact the City Clerk's Office at 850-482-4353 no later than 3 days prior to the meeting. The Commission room is located at old City Hall at 2897 Jefferson Street, Marianna, FL.

CITY OF MARIANNA
COMMISSION AGENDA MEMO
September 18, 2023

ITEM # _____

ADMINISTRATIVE STAFF REPORT

Subject: PUBLIC HEARING: Final Millage and Budget

Subject Background: State law requires that the City hold a public hearing to adopt a final millage rate and final budget.

At this hearing the City will:

- Adopt a millage (Resolution 2023-33) and budget (Resolution 2023-34) by separate votes with the millage adopted first. The millage rate adopted can not exceed the millage rate tentatively adopted.
- Prior to adopting the millage-levy resolution, the name of the taxing authority (City of Marianna, Florida), the roll- back rate (2.9003 mills), the percentage increase (3.39%), and the millage rate to be levied (2.9985 mills) must be publicly announced.
- Adopt a final budget for \$62, 525,630.

Recommendation: Adopt Resolution 2023-33, adopting the final millage rate of 2.9985 for FY 2023/2024.

Adopt Resolution 2022-34, adopting a final budget of \$62,525,630 for FY 2023/2024 for the General, CRA and Enterprise Funds.

Prepared by: Kimberly J. Applewhite, City Clerk
Approved by: William Long, City Manager

RESOLUTION NO. 2023-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARIANNA, JACKSON COUNTY, FLORIDA; ADOPTING THE FINAL MILLAGE RATE FOR THE LEVY OF AD VALOREM TAXES FOR FISCAL YEAR 2023/2024 ON ALL TAXABLE PROPERTY LOCATED WITHIN THE CITY OF MARIANNA, JACKSON COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Jackson County Property Appraiser has certified the quantity of taxable property within the City for Fiscal Year 2023/2024; and

WHEREAS, the City Manager has delivered his recommended budget for said year, and

WHEREAS, by affirmative motion the City Commission of the City of Marianna Adopted Resolution No. 2023-31 which established a tentative millage rate of 2.9985.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA, as follows:

SECTION 1. The City Commission hereby adopts and imposes a final millage rate of 2.9985 for ad valorem taxation within the City of Marianna, Florida for the 2023/2043 fiscal year. This final ad valorem tax shall be levied upon the 2023 Tax Assessment Roll for ad valorem tax on all taxable property located within the City of Marianna and is to be used for the City's fiscal year beginning October 1, 2023 and ending September 30, 2024. The final millage rate of 2.9985 is higher than the roll back rate of 2.9003. The final millage rate of 2.9985 is a 3.39 % increase over the roll back rate of 2.9003.

SECTION 2. That this Resolution shall become effective immediately upon its adoption.

ADOPTED BY the City Commission of the City of Marianna, Florida this 18th day of September, 2023.

John E. Roberts –Mayor

ATTEST:

Kimberly J. Applewhite, City Clerk

RESOLUTION NO. 2023-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARIANNA, JACKSON COUNTY, FLORIDA; ADOPTING THE FINAL ANNUAL GENERAL FUND, CRA AND ENTERPRISE FUND BUDGETS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Marianna, Florida, has prepared and submitted to the City Commission of the City of Marianna an estimate of revenues and recommended budgeted expenditures for the City of Fiscal Year beginning October 1, 2023, and ending September 30, 2024, such estimates and recommendations having been made with particular application to the various departments of the City: and

WHEREAS, the City Charter requires that the City Commission of the City of Marianna adopt its annual budget; and

WHEREAS, the City Charter requires the adoption of the City's budget prior to any expenditure of City funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA, as follows:

SECTION 1. The City Commission hereby adopts the final General Fund, CRA and Enterprise Fund budgets which are attached hereto and by reference made apart hereof, of the City of Marianna, Florida for the fiscal year beginning October 1, 2023, and ending September 30, 2024, said budgets showing combined sources and uses of \$62,525,630.

SECTION 2. That this Resolution shall become effective immediately upon its adoption.

ADOPTED BY the City Commission of the City of Marianna, Florida this 18th day of September, 2023.

John E. Roberts- Mayor

ATTEST:

Kimberly J. Applewhite, City Clerk

**CITY OF MARIANNA
COMMISSION AGENDA MEMO
September 18, 2023**

ADMINISTRATIVE STAFF REPORT

Subject: Florida Department of Environmental Protection (FDEP)
State Revolving Fund (SRF)
Amendment 2 Loan Agreement WW320252

Subject Background: The City received a Grant and Loan from FDEP for improvements to the City's Wastewater Treatment Plant. This project is complete and FDEP has closed out the Grant and Loan.

The proposed Amendment reduces the loan portion by \$6,129 and the interest rate remains at 0%.

Recommendation: The Amendment to the Loan Agreement is a requirement by FDEP. It has been reviewed by staff and found to be acceptable. It is recommended the City execute Amendment 2 to Loan Agreement WW320252.

Potential Motion: I move to approve the execution of Amendment 2 to Loan Agreement WW320252.

Prepared by: William Long (AF)

**STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT WW320252
& GRANT AGREEMENT SG320253
CITY OF MARIANNA**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF MARIANNA, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as “Parties” or individually as “Party”.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW320252 as amended, authorizing a Loan amount of \$6,531,545, excluding Capitalized Interest, and Grant Agreement, Number SG320253, authorizing a Grant amount of \$5,225,236; and

The Loan Amount, Grant amount, Semiannual Loan Payment amount, Loan Service Fee, and Project costs need adjustment to reflect actual costs; and

Certain provisions of the Agreement need to be revised.

The Parties hereto agree as follows:

1. The total Loan amount awarded is reduced by \$6,129 and the Grant amount is reduced by \$4,903. The revised total Loan amount awarded is \$6,525,416 and the Grant amount is \$5,220,333.

2. The Loan Service Fee is \$130,508. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of \$6,525,416.

3. The total amount of the Loan to be repaid is \$1,435,591. This consists of \$6,525,416 disbursed to the Local Government minus the Grant amount of \$5,220,333, plus accrued Capitalized Interest of \$0 and service fee charges of \$130,508.

4. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of \$35,889.78. Such payments shall be received by the Department on October 15, 2023 and semiannually thereafter on April 15 and October 15 of each year until all amounts due hereunder have been fully paid.

5. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:

(1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Local Government Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Wastewater Treatment and Stormwater Management TF	37.077	Wastewater Treatment Facility Construction	\$6,525,416	140131
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Small Community Wastewater Grant	37.075	Federal Grants Trust Fund	\$5,220,333	143276

6. Project Costs are revised as follows:

The Local Government and the Department acknowledge that changes in Project costs may occur as a result of an audit. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COSTS (\$)
Construction and Demolition	6,077,053
Technical Services During Construction	448,363
SUBTOTAL (Total Disbursed)	6,525,416
Less Grant funding	(5,220,333)
Capitalized Interest	0
TOTAL (Loan Principal Amount)	1,305,083

7. All other terms and provisions of the Loan Agreement shall remain in effect.

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This Amendment 2 to Loan Agreement WW320252 and Grant Agreement SG320253 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this Agreement to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this Agreement shall be as set forth below by the Department.

for
CITY OF MARIANNA

Mayor

Attest:

Approved as to form and legal sufficiency:

City Clerk

City Attorney

SEAL

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date

Florida State Revolving Fund Amortization Schedule Report

**Sponsor: Marianna
Funding Number: CW-320252**

Loan Number	Payment #	Payment	Date	Rate	Principal	Interest	GAA Fees	Service Fee	SF Int	Total to Pay
CW-320252	1	\$35,889.78	Oct 15, 2023	0.000 %	\$0.00	\$0.00	\$0.00	\$35,889.78	\$0.00	\$1,305,083.00
	2	\$35,889.78	Apr 15, 2024	0.000 %	\$0.00	\$0.00	\$0.00	\$35,889.78	\$0.00	\$1,305,083.00
	3	\$35,889.78	Oct 15, 2024	0.000 %	\$0.00	\$0.00	\$0.00	\$35,889.78	\$0.00	\$1,305,083.00
	4	\$35,889.78	Apr 15, 2025	0.000 %	\$13,051.12	\$0.00	\$0.00	\$22,838.66	\$0.00	\$1,292,031.88
	5	\$35,889.78	Oct 15, 2025	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,256,142.10
	6	\$35,889.78	Apr 15, 2026	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220,252.32
	7	\$35,889.78	Oct 15, 2026	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,184,362.54
	8	\$35,889.78	Apr 15, 2027	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,148,472.76
	9	\$35,889.78	Oct 15, 2027	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,112,582.98
	10	\$35,889.78	Apr 15, 2028	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,076,693.20
	11	\$35,889.78	Oct 15, 2028	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,040,803.42
	12	\$35,889.78	Apr 15, 2029	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,004,913.64
	13	\$35,889.78	Oct 15, 2029	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$969,023.86
	14	\$35,889.78	Apr 15, 2030	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$933,134.08
	15	\$35,889.78	Oct 15, 2030	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$897,244.30
	16	\$35,889.78	Apr 15, 2031	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$861,354.52
	17	\$35,889.78	Oct 15, 2031	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$825,464.74
	18	\$35,889.78	Apr 15, 2032	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$789,574.96
	19	\$35,889.78	Oct 15, 2032	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$753,685.18
	20	\$35,889.78	Apr 15, 2033	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$717,795.40
	21	\$35,889.78	Oct 15, 2033	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$681,905.62
	22	\$35,889.78	Apr 15, 2034	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$646,015.84
	23	\$35,889.78	Oct 15, 2034	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$610,126.06
	24	\$35,889.78	Apr 15, 2035	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$574,236.28
	25	\$35,889.78	Oct 15, 2035	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$538,346.50

Florida State Revolving Fund Amortization Schedule Report

**Sponsor: Marianna
Funding Number: CW-320252**

Loan Number	Payment #	Payment	Date	Rate	Principal	Interest	GAA Fees	Service Fee	SF Int	Total to Pay
CW-320252	26	\$35,889.78	Apr 15, 2036	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$502,456.72
	27	\$35,889.78	Oct 15, 2036	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$466,566.94
	28	\$35,889.78	Apr 15, 2037	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$430,677.16
	29	\$35,889.78	Oct 15, 2037	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$394,787.38
	30	\$35,889.78	Apr 15, 2038	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$358,897.60
	31	\$35,889.78	Oct 15, 2038	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$323,007.82
	32	\$35,889.78	Apr 15, 2039	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$287,118.04
	33	\$35,889.78	Oct 15, 2039	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$251,228.26
	34	\$35,889.78	Apr 15, 2040	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$215,338.48
	35	\$35,889.78	Oct 15, 2040	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$179,448.70
	36	\$35,889.78	Apr 15, 2041	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$143,558.92
	37	\$35,889.78	Oct 15, 2041	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$107,669.14
	38	\$35,889.78	Apr 15, 2042	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$71,779.36
	39	\$35,889.78	Oct 15, 2042	0.000 %	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$35,889.58
	40	\$35,889.58	Apr 15, 2043	0.000 %	\$35,889.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CW-320252 Totals					\$1,305,083.00	\$0.00	\$0.00	\$130,508.00	\$0.00	

Combined								
Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
10/15/2023	1	\$35,889.78		\$0.00	\$0.00	\$35,889.78	\$0.00	\$1,305,083.00
4/15/2024	2	\$35,889.78		\$0.00	\$0.00	\$35,889.78	\$0.00	\$1,305,083.00
10/15/2024	3	\$35,889.78		\$0.00	\$0.00	\$35,889.78	\$0.00	\$1,305,083.00
4/15/2025	4	\$35,889.78	\$13,051.12	\$0.00	\$0.00	\$22,838.66	\$0.00	\$1,292,031.88
10/15/2025	5	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,256,142.10

Florida State Revolving Fund Amortization Schedule Report

**Sponsor: Marianna
Funding Number: CW-320252**

Combined								
Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
4/15/2026	6	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,220,252.32
10/15/2026	7	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,184,362.54
4/15/2027	8	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,148,472.76
10/15/2027	9	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,112,582.98
4/15/2028	10	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,076,693.20
10/15/2028	11	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,040,803.42
4/15/2029	12	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$1,004,913.64
10/15/2029	13	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$969,023.86
4/15/2030	14	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$933,134.08
10/15/2030	15	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$897,244.30
4/15/2031	16	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$861,354.52
10/15/2031	17	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$825,464.74
4/15/2032	18	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$789,574.96
10/15/2032	19	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$753,685.18
4/15/2033	20	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$717,795.40
10/15/2033	21	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$681,905.62
4/15/2034	22	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$646,015.84
10/15/2034	23	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$610,126.06

Florida State Revolving Fund Amortization Schedule Report

**Sponsor: Marianna
Funding Number: CW-320252**

Combined								
Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
4/15/2035	24	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$574,236.28
10/15/2035	25	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$538,346.50
4/15/2036	26	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$502,456.72
10/15/2036	27	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$466,566.94
4/15/2037	28	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$430,677.16
10/15/2037	29	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$394,787.38
4/15/2038	30	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$358,897.60
10/15/2038	31	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$323,007.82
4/15/2039	32	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$287,118.04
10/15/2039	33	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$251,228.26
4/15/2040	34	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$215,338.48
10/15/2040	35	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$179,448.70
4/15/2041	36	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$143,558.92
10/15/2041	37	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$107,669.14
4/15/2042	38	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$71,779.36
10/15/2042	39	\$35,889.78	\$35,889.78	\$0.00	\$0.00	\$0.00	\$0.00	\$35,889.58
4/15/2043	40	\$35,889.58	\$35,889.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total		\$1,435,591.00	\$1,305,083.00	\$0.00	\$0.00	\$130,508.00	\$0.00	

**CITY OF MARIANNA
COMMISSION AGENDA MEMO
September 18, 2023**

ADMINISTRATIVE STAFF REPORT

Subject: Potable Water Project-Grant #M0101
Community Development Block Grant-Disaster Relief
(CDBG-DR)
Amendment One - Direct Payments

Subject Background: This amendment changes the invoice processes for the City's potable water project grant so that the City can request direct or up-front payments from Florida Commerce.

Recommendation: City staff has reviewed the amendment and find it acceptable. I recommend approval of Amendment One for the Potable Water project to request direct payments from FL Commerce.

Potential Motion: I move to approve as presented.

Prepared by: William H. Long (AF)

**AMENDMENT ONE
TO THE FEDERALLY FUNDED
COMMUNITY DEVELOPMENT BLOCK GRANT
DISASTER RECOVERY (CDBG-DR) (HURRICANE MICHAEL)
SUBRECIPIENT AGREEMENT**

On May 16, 2022, the State of Florida, Department of Commerce (“Commerce”), formerly the Department of Economic Opportunity (“DEO”), and the City of Marianna (“Subrecipient”) entered into agreement M0101 (“Agreement”). Commerce and the Subrecipient may individually be referred to herein as a “Party” or collectively as the “Parties”.

WHEREAS, Section 4, Modification of Agreement, of the Agreement provides that any amendment to the Agreement shall be in writing executed by the Parties thereto; and

WHEREAS, the Parties wish to amend the Agreement as set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and obligations set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to the following:

1. On July 1, 2023, the Florida Department of Economic Opportunity was renamed to the Florida Department of Commerce. Effective July 1, 2023, all references throughout the Agreement to “Department of Economic Opportunity” or “DEO” are replaced with “Department of Commerce” or “Commerce” as appropriate.
2. Section 16, Notice and Contact is hereby deleted in its entirety and replaced with the following:

(16) Notice and Contact.

- a. All notices provided under or pursuant to this Agreement shall be in writing, either by hand delivery, first class or certified mail with return receipt requested, email with confirmation of receipt of email from Subrecipient, to the representative identified below at the address set forth below or said notification attached to the original of this Agreement.

- b. The name and address of Commerce’s Grant Manager for this Agreement is:

Jessica Hood

107 E. Madison Street, MSC-400

Tallahassee, FL 32399

850-717-8516

Jessica.Hood@commerce.fl.gov

- c. The name and address of the Local Government Project Contact for this Agreement is:

William Long

2898 Green St.

Marianna, FL 32446

850-482-4353

Wlong@mariannafl.city

- d. If different representatives or addresses are designated by either Party after execution of this Agreement, notice of the name, title and address of the new representative will be provided to the other Party to this Agreement. Such change shall not require a formal amendment of the Agreement.
3. Section 27, Employment Eligibility Verification is hereby deleted in its entirety and replaced with the following:
 - (a) E-Verify is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, Employment Eligibility Verification, to determine the eligibility of all new employees hired to work in the United States. There is no charge to employers to use E-Verify. The Department of Homeland Security's E-Verify system can be found at: <https://www.e-verify.gov/>.
 - (b) In accordance with section 448.095, F.S., the State of Florida expressly requires the following:
 1. Every public agency and its contractors and subcontractors shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public agency or a contractor or subcontractor thereof may not enter into a contract unless each party to the contract registers with and uses the E-Verify system.
 2. An employer shall verify each new employee's employment eligibility within three (3) business days after the first day that the new employee begins working for pay as required under 8 C.F.R. 274a. Beginning July 1, 2023, a private employer with 25 or more employees shall use the E-Verify system to verify a new employee's employment eligibility.
 - (c) If an entity does not use E-Verify, the entity shall enroll in the E-Verify system prior to hiring any new employee or retaining any contract employee after the effective date of this Agreement.
 4. Attachment A, Project Description and Deliverables, Section 7, Invoice Submittal, subsection 2.a, is hereby deleted and replaced as follows:
 - 2.a A cover letter signed by Subrecipient's Grant Manager certifying that the costs being claimed in the invoice package: (1) are specifically for the project represented to the State in the budget appropriation; (2) are for one or more of the components as stated in Section 6, DELIVERABLES, of this Attachment A; (3) have been paid or that professional services have been rendered in a rural community or rural area of opportunity as defined in section 288.0656(2), F.S.; and (4) were incurred during this Agreement.
 5. Attachment A, Project Description and Deliverables, Section 7, Invoice Submittal, is hereby revised to add subsection B.7 as follows:
 7. If the Subrecipient is a county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., the payment of submitted invoices may be issued for verified and eligible performance that has been completed in

accordance with the terms and conditions set forth in this Agreement to the extent that federal or state law, rule, or other regulations allows such payments. Upon meeting either of the criteria set forth below, the subrecipient may elect in writing to exercise this provision.

- a. A county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., that demonstrates financial hardship; or
- b. A county or municipality that is a rural community or rural area of opportunity as those terms are defined in section 288.0656(2), F.S., and which is located in a fiscally constrained county, as defined in section 218.67(1), F.S. If the Subrecipient meets the criteria set forth in this paragraph, then the Subrecipient is deemed to have demonstrated financial hardship.

6. Attachment G – Reports, Number 3., is hereby deleted in its entirety and replaced with the following:

3. The Subrecipient shall closeout its use of the CDBG-DR funds and its obligations under this Agreement by complying with the closeout procedures in 2 CFR § 200.343. Activities during this close-out period may include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances and accounts receivable to the Subrecipient) and determining the custodianship of records.

Notwithstanding the terms of 2 CFR 200.343, upon the expiration of this Agreement, the Subrecipient shall transfer to the recipient any CDBG-DR funds on hand at the time of expiration and any accounts receivable attributable to the use of CDBG-DR funds. Further, any real property under the Subrecipient's control that was acquired or improved in whole or in part with CDBG-DR funds (including CDBG-DR funds provided to the Subrecipient in the form of a loan) shall be treated in accordance with 24 CFR 570.503(b)(7).

7. All other terms and conditions remain in effect.

~ Remainder Left Intentionally Blank ~

IN WITNESS HEREOF, by signature below, the Parties agree to abide by the terms, conditions, and provisions of Agreement Number M0101, as amended. This Amendment is effective on the date the last Party signs this Amendment.

CITY OF MARIANNA	FLORIDA DEPARTMENT OF COMMERCE
SIGNED:	SIGNED:
Kennith Hamilton	J. Alex Kelly
MAYOR	Secretary
DATE:	DATE:

Approved as to form and legal sufficiency, subject only to full and proper execution by the Parties.

**OFFICE OF GENERAL COUNSEL
DEPARTMENT OF COMMERCE**

By: _____

Approved Date: _____