



LEGAL REQUEST MEMORANDUM (LRM)

From: (Name) Kramer Joshua (Dept) Utilities - 7130
Last First
(Title) Deputy Director (Phone) _____
Signature _____ Date _____

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for: ☒ Draft Document ☒ Approve as to Form ☐ RESUBMIT LRM No. _____
☐ Legal Opinion ☐ Other

Description of Request

Please review attached sample Resolution and Legal Opinion submitted by FDEP, and draft Resolution and Legal Opinion for DW420630 (SRF Emerging Contaminants Agreement) to follow the approved format.

For more information or discussion, contact: ☐ Same as above
(Name) _____ (Title) _____ (Phone) _____
Last First

Agenda Item? ☒ Yes ☐ No Agenda Date: _____ Next available *time sensitive*
Agenda Deadline Date for **Legal**: _____ Agenda Deadline Date for **Admin**: _____

Note: Please allow a MINIMUM of 5 working days BEFORE deadlines for LRM to be completed.

DO NOT COMPLETE - Office of the County Attorney use ONLY

LRM No. 2026-71

Assigned to: ☐ Matthew Guy Minter, County Attorney ☐ Dana E. Olesky, Chief Asst. County Attorney ☐ Linda Blackburn, Asst. County Attorney ☒ Thomas Schwartz, Asst. County Attorney ☐ Valdoston Shealey, Asst. County Attorney

Outcome:

Date Received:

☐ Approved as to form and legal sufficiency
☐ Approved with revisions: ☐ Suggested ☐ Completed
☒ Other:

RECEIVED

By Marion County Attorney VR at Jan 27, 2026

Attorney Signature: Thomas Schwartz Date: 1/27/26

Staff Signature: Lori Nye Date: 1/27/26 Returned: ☒ Department ☐ Admin ☐ Completed

RESOLUTION NO. 26-R-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the planning and design (including design services during construction) of water distribution facilities; 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 Revolving Fund (SRF) loan priority list designates SRF Project No. DW42063 – Emerging Contaminants as eligible for available funding; and

WHEREAS; Marion County, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

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

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

SECTION II. Marion County, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are the water and sewer system revenues after payment of debt service on Marion County's Series 2016; Water and Sewer System Revenue Bonds, the Series 2021B Water and Sewer System Refunding Revenue Bonds, and the Series 2022A Water and Sewer System Refunding Revenue Bonds.

SECTION IV. The Chair is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION V. The Chair is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The Chair is authorized to represent the Marion County Board of County Commissioners in carrying out Marion County's responsibilities under the loan agreement. The Chair is authorized to delegate responsibility to appropriate Marion County staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION VI. The legal authority for borrowing moneys to construct this Project is Section 166.111, Florida Statutes.

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

SECTION VIII. 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 IX. This Resolution shall become effective immediately upon its passage and adoption.

PASSED and ADOPTED this _____ Day of _____ [month], _____ [year].

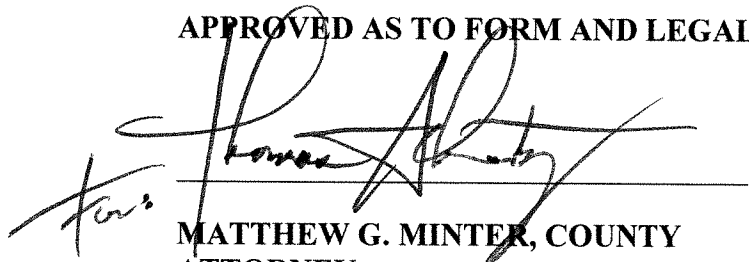
ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

GREGORY C. HARRELL, CLERK

CARL ZALAK, III, CHAIR

APPROVED AS TO FORM AND LEGALITY



**MATTHEW G. MINTER, COUNTY
ATTORNEY**



**Marion County
Board of County Commissioners**

Office of the County Attorney

601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2330
Fax: 352-438-2331

January 27, 2026

Ms. Teresa Robson
Program Administrator
State Revolving Fund Management
3900 Commonwealth Blvd., Mail Station 3505
Tallahassee, Florida 32399-3000

Re: SRF Project Number DW42063 – Marion County, Florida
SRF Project Name: Marion County – DW420630 – Emerging Contaminants

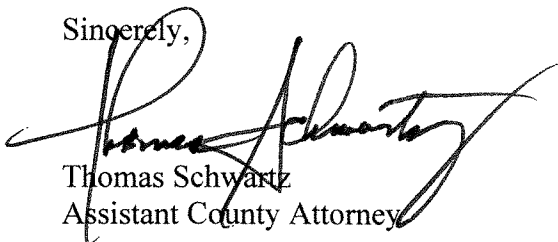
Dear Ms. Robson:

I am a duly appointed Assistant County Attorney for Marion County, a political subdivision of the State of Florida. Marion County proposes to borrow \$1,250,000.00, excluding capitalized interest, from the State Revolving Fund agencies to finance the planning and design (including design services during construction) of water distribution facilities. The loan will be secured by the revenues of Marion County's water and sewer system and the pledged revenues are legally available to pledge. Marion County has the legal authority to increase rates to ensure repayment of the loan.

The pledge on revenues is subject to a prior lien with the following issues:

- (1) Marion County, Florida, Water and Sewer System Revenue Bonds, Series 2016.
- (2) Marion County, Florida, Water and Sewer System Refunding Revenue Bonds, Series 2021B.
- (3) Marion County, Florida, Water and Sewer System Refunding Revenue Bonds, Series 2022A.

Sincerely,



Thomas Schwartz
Assistant County Attorney