

RESOLUTION NO. 2026-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA APPROVING AN INTERLOCAL AGREEMENT FOR THE PURCHASE AND SALE OF UTILITY ASSETS, THE ASSIGNMENT AND ASSUMPTION OF DEO GRANT AGREEMENT, APPROVING DISSOLUTION OF HIGHWAY 79 CORRIDOR AUTHORITY, AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED IN FURTHERANCE THEREOF.

WHEREAS, the City of Bonifay, Florida (the "City"), is a member of the Highway 79 Corridor Authority (the "Authority"), an independent special district governmental entity created by interlocal agreement of Washington County, Holmes County, and the City; and

WHEREAS, Washington County, Florida ("Washington County"), was the recipient of that certain Florida Job Growth Infrastructure Grant Agreement State of Florida Department of Economic Opportunity DEO Agreement No. G0006, between the State of Florida Department of Economic Opportunity ("DEO") and Washington County, executed by DEO on February 15, 2018 (the "DEO Grant"); and

WHEREAS, the Authority has conveyed or will convey to the City, pursuant to that certain Interlocal Agreement for the Purchase and Sale of Utility Assets (the "Purchase Agreement"), all of its respective real and personal property, both tangible and intangible, that comprise a portion of the Purchased Assets in connection with the Utility System, as those terms are defined in the Purchase Agreement; and

WHEREAS, the proceeds of the DEO Grant were previously contributed by Washington County to the Authority for construction of the Authority's Utility System; and

WHEREAS, pursuant to the Purchase Agreement, the City has agreed to assume all obligations of Washington County under the DEO Grant; and

WHEREAS, Washington County and the City each sent correspondence to the Florida Department of Commerce (as DEO's successor in interest in the DEO Grant) requesting that the Florida Department of Commerce assign the DEO Grant to the City, and by correspondence dated October 9, 2025, the Florida Department of Commerce has recognized the assignment of all of Washington County's rights and obligations under such DEO Grant to the City; and

WHEREAS, Washington County desires to assign the DEO Grant to the City as part of the conveyance of the Utility System to the City and pursuant to the Purchase Agreement; and

WHEREAS, the City desires to accept the assignment of the DEO Grant from Washington County and assume the obligations of Washington County under the DEO Grant pursuant to the Purchase Agreement; and

WHEREAS, upon conveyance of the Utility System by the Authority, the member entities of the Authority (Washington County, Holmes County, and the City) desire to dissolve the Authority.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, that:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the provisions of the laws of the State of Florida.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

- A. The conveyance of the Utility System by the Authority to the City pursuant to the Purchase Agreement is in the best interest of the residents of the City; and
- B. The assignment and assumption of the DEO Grant from Washington County to the City is in the best interest of the residents of the City; and
- C. The Florida Department of Commerce has previously recognized the assignment of all of Washington County's rights and obligations under the DEO Grant to the City; and
- D. Upon conveyance of the Utility System by the Authority and wrapping up of the final affairs of the Authority, the Authority should be formally dissolved by the member entities.

SECTION 3. APPROVAL OF INTERLOCAL AGREEMENT FOR THE PURCHASE AND SALE OF UTILITY ASSETS. The City Council hereby approves the Interlocal Agreement for the Purchase and Sale of Utility Assets. The Mayor, City Clerk, City Attorney, and other appropriate officers and staff of the City are hereby authorized and directed to take all actions necessary or required in connection with the approval of the Purchase Agreement. The Mayor is hereby authorized to execute any and all closing documents, consents, or other documents deemed necessary or appropriate to effectuate the transaction contemplated by the Purchase Agreement, and to further the purposes of this Resolution.

SECTION 4. APPROVAL OF ASSIGNMENT AND ASSUMPTION; APPROVAL OF OTHER NECESSARY ACTION. The City Council hereby approves the assignment and assumption of the DEO Grant from Washington County to the City pursuant to the terms of the Purchase Agreement. The Mayor, City Clerk, City Attorney, and other appropriate officers and staff of the City are hereby authorized and directed to take all actions necessary or required in connection with the approval of the Purchase Agreement by the Authority, the assignment and assumption of the DEO Grant from Washington County to the City pursuant to the terms of the Purchase Agreement, and the wrapping up of the final affairs and ultimate dissolution of the Authority as deemed necessary or appropriate and in furtherance of this Resolution. The Mayor is hereby authorized to execute any and all assignments, assumption documents, closing documents, consents, or other documents deemed necessary or appropriate to accept the assignment of the DEO Grant to the City, to assume the City's obligations thereunder, and to further the purposes of this Resolution.

SECTION 5. REPEAL OF INCONSISTENT PROVISIONS. All resolutions or parts thereof in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. SEVERABILITY. In the event that any portion or section of this Resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Resolution, which shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE. This Resolution shall take effect immediately upon its final passage and adoption.

Passed and duly adopted at a meeting of the City Council of the City of Bonifay, Florida on the 1st day of June, 2026.

CITY OF BONIFAY, FLORIDA

By: _____
Larry F. Cook, Mayor

ATTEST:

City Clerk