

RESOLUTION 2018-11

"A RESOLUTION OF CITY OF MARIANNA, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGHAM; 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 construction of wastewater treatment 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 loan priority list designates Project No. **DW32024** as eligible for available funding; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA, AS FOLLOWS:

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

SECTION II. The City of MARIANNA, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on the City's Water and Sewer System Revenue Bonds, Water and Sewer System Refunding Revenue Bonds and Loan Agreements as follow:

1. City of Marianna, Florida – Utility System Refunding Revenue Bonds Series 2012
2. Florida Department of Environmental Protection Clean Water State Revolving Fund (SRF) CS12045114P
3. Florida Department of Environmental Protection Clean Water State Revolving Fund (SRF) WW320200
4. Florida Department of Environmental Protection Clean Water State Revolving Fund (SRF) DW320210
5. Florida Department of Environmental Protection Clean Water State Revolving Fund (SRF) DW320220

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

SECTION V. The Mayor 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 Mayor is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Commission is authorized to delegate responsibility to the City Manager to appropriate City 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 s.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 February, 2018.

ATTEST

APPROVED AS TO FORM AND LEGALITY

Kimberly J. Applewhite,
City Clerk

Matt Fuqua,
City Attorney

Kenneth Hamilton,
Mayor