

RESOLUTION R20-04

A RESOLUTION OF CITY OF THE CITY OF FORT MEADE, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE EXECUTION AND FILING OF A LOAN APPLICATION; AUTHORIZING EXECUTION OF THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN 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. WW531120 as eligible for available funding; and,

WHEREAS, the City of Fort Meade, Florida, intends to enter into a loan agreement with the Department of Environmental Protection ("Department") under the State Revolving Fund for project financing; and,

WHEREAS, the City previously adopted Resolution No. 2019-18, which authorized the loan; and,

WHEREAS, the Department requested changes in the references to prior debt that will not be impacted.

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

SECTION 1. FINDINGS OF THE COMMISSION. The Commission hereby declares that the foregoing findings are true and correct, incorporated herein by reference, and made a part of this Resolution.

SECTION 2. APPROVAL AND AUTHORIZATION. The City Commission hereby approves the filing, execution, and prosecution of any and all documents necessary to apply for a loan for Project No. WW 531120 with the State Revolving Fund program and Florida Department of Environmental Protection to finance the construction of the Project.

SECTION 3. PLEDGED REVENUES. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on

(1) City of Fort Meade, Florida, Water and Sewer System Revenue Bonds, Series 2005A, and (2) City of Fort Meade, Florida, Water and Sewer System Revenue Bonds, Series 2005B. The pledged revenues do not include impact fees or capital charges, but include all other rates, fees, and charges of the Water and Sewer System.

SECTION 4. DESIGNATION AND DELEGATION OF POWERS TO CITY MANAGER. The City Commission hereby delegates authority and power to the City Manager to complete, file, execute, and prosecute any and all documents necessary to apply for a loan with the State Revolving Fund program and the Florida Department of Environmental Protection to prosecute the construction of the project. The City Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application, and delegated to take such actions as are necessary and appropriate to complete, file, and prosecute the loan application. The City Manager 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 City Manager is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Manager is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION 5. AUTHORIZATION TO EXECUTE LOAN AGREEMENT. The Mayor, James Watts 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, James Watts is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The Mayor, James Watts is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION 6. CITY LEGAL AUTHORITY. The City's legal authority to borrow moneys to construct this Project is contained in Article VII, § 12 and Article VIII, § 2(b), Florida Constitution, and §§ 159.03, 166.121, and 180.08, Florida Statutes, and the City of Fort Meade Charter.

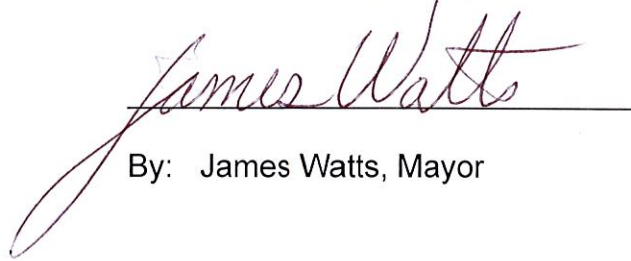
SECTION 7. SEVERABILITY. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 8. CONFLICTING RESOLUTIONS. 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. This Resolution specifically replaces and supersedes Resolution No. R19-18 adopted in December of 2019.

SECTION 9. EFFECTIVE DATE. This Resolution shall become effective immediately upon its passage and adoption.

RESOLVED, PASSED, AND CERTIFIED AS TO PASSAGE THIS 10th Day of March 2020.

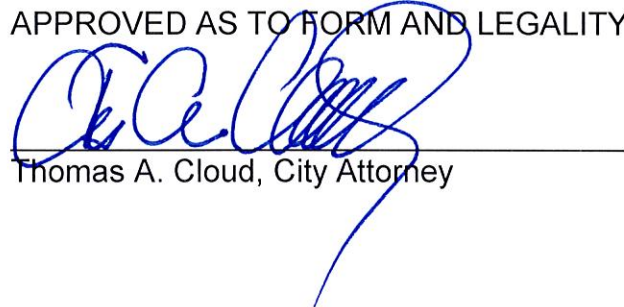
CITY OF FORT MEADE, FLORIDA


By: James Watts, Mayor

ATTEST:


Melissa Cannon, Deputy City Clerk

APPROVED AS TO FORM AND LEGALITY:


Thomas A. Cloud, City Attorney

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