

RESOLUTION NO. R-2017-016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR \$20,809,886.00 (INCLUDING CAPITALIZED INTEREST AND LOAN SERVICE FEE) FOR CONSTRUCTION FUNDS FOR THE 2016 WATER MAIN REPLACEMENT PROGRAM Project # 14-5122 (WMRP); AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE; AND TO AMEND THE FISCAL YEAR 2017 CAPITAL IMPROVEMENT PLAN BUDGET, AS DETAILED IN EXHIBIT 1.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of water 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 Program with the Florida Department of Environmental Protection (DEP) will hold a Hearing in February 2017 to approve funding for designated DEP Project No. DW06047 for construction funds for the 2016 Water Main Replacement Program; and

WHEREAS, the City of Hollywood, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund Loan financing in the amount of \$20,809,886 and;

WHEREAS, on September 28, 2016 the City Commission approved Resolution R-2016-285 which adopted the FY 2017 Capital Improvement Program and included funding in the amount of \$10,100,000.00 for the water main replacement program subject to accounts being created by the Department of Financial Services; and

WHEREAS, it is necessary to amend the approved FY2017 Capital Improvement Program, as detailed in Exhibit 1, to allocate additional funding in the amount of \$10,709,886.00 for the water main replacement program; and

WHEREAS, the Department of Public Utilities recommends that the City Commission authorize the appropriate City Officials to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing in an amount of \$20,809,886.00 for the 2016 Water Main Replacement Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing findings are incorporated herein by reference and made a part hereof.

Section 2: That the City of Hollywood, Florida is authorized to apply for a loan to finance DEP Project No. DW06047 with the Department of Environmental Protection.

Section 3: That the revenues pledged for the repayment of the loan are net water and sewer utility system revenues after payment of debt service on the City's Series 2010 and 2014 Water and Sewer Revenue Bonds and the State of Florida Revolving Fund Loans issued through 2015.

Section 4: That the City Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

Section 5: That 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 delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

Section 6: That the legal authority for borrowing monies to construct this Project is the Florida Statutes.

Section 7: That it hereby approves and authorizes the amendments, recognition of revenue and appropriation of expenditures to the FY 2017 Capital Improvement Plan, as detailed in Exhibit 1, attached hereto and by this reference made a part hereof.

Section 8: That it hereby authorizes the Department of Financial Services to create and establish certain accounts to recognize the receipt of funds and appropriate said funds for expenditures as may be required

Section 9: That all resolutions or part of resolutions in conflict with any of the provisions of this resolution are hereby repealed.

A RESOLUTION RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM;
MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR \$20,809,886.00
FOR CONSTRUCTION FUNDS FOR THE 2016 WATER MAIN REPLACEMENT
PROGRAM Project # 14-5122 (WMRP)

Section 10: That 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 11: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 18 day of Jan, 2017.

ATTEST:


PATRICIA A. CERNY, MMC, CITY CLERK


JOSH LEVY, MAYOR

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida only.


JEFFREY P. SHEFFEL, CITY ATTORNEY 87

Exhibit 1: Amendments / Transfers / Reallocations
Water & Sewer Enterprise Fund 42

This item recognizes anticipated loan funding from
 Florida Department of Environmental Protection (DEP)
 for 2016 Water Main Replacement Program

		Original Amount	Amended Amount
<u>Revenue:</u>			
Description	Account Number	Amount	Amount
Revenue - Placeholder Borrowed Proceeds	42.1200.00000.300.0100	20,809,886	20,112,000
Cost - Placeholder Borrowed Proceeds	42.1200.00000.300.0100	-	697,886
Total		\$ 20,809,886	\$ 20,809,886

<u>Expenses:</u>			
Description	Account Number	Amount	Amount
Water Main Replacement Program (per R-2016-285)	To Be Established	10,100,000	10,100,000
Water Main Replacement Program	To Be Established	10,709,886	10,012,000
Capitalized Interest & Loan Service Fees	To Be Established	-	697,886
Total		\$ 20,809,886	\$ 20,809,886