

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE HOLLYWOOD BEACH COMMUNITY DEVELOPMENT DISTRICT I TO ISSUE ITS REFUNDING BONDS, SERIES 2020, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$39,990,000.00 FOR THE PURPOSE OF REFUNDING ALL OF THE AGENCY'S OUTSTANDING HOLLYWOOD BEACH COMMUNITY DEVELOPMENT DISTRICT I TAXABLE BONDS, SERIES 2014, INCLUDING MAKING A DEPOSIT TO THE SERIES 2020 DEBT SERVICE RESERVE FUND AND PAYING CERTAIN COSTS ASSOCIATED WITH THE ISSUANCE OF THE SERIES 2020 BONDS; APPROVING THE EXECUTION BY THE APPROPRIATE CITY OFFICIALS OF A GUARANTY OF REPLENISHMENT OF THE SERIES 2020 DEBT SERVICE RESERVE FUND, AND A DISCLOSURE DISSEMINATION AGENT AGREEMENT WITH DIGITAL ASSURANCE CERTIFICATION, L.L.C.; PROVIDING FOR SEVERABILITY.

WHEREAS, the Hollywood Beach Community Development District I ("District") is a local unit of special-purpose government located in Broward County, Florida, and established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, Florida Statutes, pursuant to Ordinance No. O-2011-21 enacted by the City Commission on June 1, 2011; and

WHEREAS, on January 19, 2011, the City Commission, by Resolution No. R-2011-014, approved the execution of a Development Agreement and Ground Lease (the ("Original Lease")) between Margaritaville Hollywood Beach Resort, L.P. and the City; and

WHEREAS, on May 29, 2013, the City Commission, by Resolution No. R-2013-132, approved the execution of an Amended and Restated Development Agreement and Ground Lease ("Amended and Restated Lease") between Margaritaville Hollywood Beach Resort, L.P. and the City; and

WHEREAS, the District previously adopted its Hollywood Beach Community Development District I Engineer's Report, dated October 4, 2011, as such report has been or may be further amended and supplemented from time to time by the District Board of Supervisors, incorporated by reference, which details certain infrastructure projects, including a public parking facility, to serve lands within the District; and

WHEREAS, the District previously issued its \$36,395,000.00 Hollywood Beach Community Development District I Taxable Revenue Bonds (Public Parking Facilities Project) Series 2014 ("Original Bonds"); and

WHEREAS, the Original Bonds are secured by lands and leasehold interests located within the boundaries of the District; and

WHEREAS, in connection with the issuance of the Original Bonds, the District adopted Resolutions 2012-02, 2012-03, 2012-05 and 2012-06, which levied debt assessments securing the Original Bonds; and

WHEREAS, the District has determined that it is in the best interest of the District and its residents to refund and refinance the outstanding Original Bonds in order to reflect the current economic environment and to reduce the amount of original Assessments by the landowner each year; and

WHEREAS, the refunding will also reduce the annual debt service each year for the remainder of the term of the outstanding debt; and

WHEREAS, by District Resolution 2020-04, the District has scheduled a Public Hearing for 10:00 A.M. on September 21, 2020 on the matter of the special assessments for the purpose of refunding the District's Taxable Revenue Bonds Series 2014; and

WHEREAS, pursuant to Section (D)(6)(a) of Exhibit "K" of the Amended and Restated Lease ("Exhibit "K"), the District is prohibited from refinancing the bonds or issuing any other bonds or debt instruments without the prior written approval of the City, which may be granted or withheld by the City in its sole discretion; and

WHEREAS, pursuant to Exhibit "K", section (C)(3)(e), the City provided a Guaranty of Payments of Principal and Interest on the Original Bonds; and

WHEREAS, due to current market conditions, the proposed Refunding Bonds, Series 2020 cannot be issued without the City again providing such Guaranty; and

WHEREAS, associated with the issuance of the Guaranty, the City wishes to execute the Disclosure Dissemination Agent Agreement with Digital Assurance Certification, L.L.C, at no cost to the City, essentially to provide for the annual filing of the City's audited financial statements in support of the Guaranty.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That in accordance with Section (D)(6)(a) of Exhibit "K" to the Amended and Restated Development Agreement and Ground Lease between the Margaritaville Hollywood Beach Resort, L.P. and the City of Hollywood, Florida, the City approves the issuance by the Hollywood Beach Development District I of the Hollywood Beach Development District I Refunding Bonds, Series 2020, in an aggregate principal amount not to exceed \$39,990,000.00 including making a deposit to the Series 2020 Debt Service Reserve Fund and paying certain costs associated with the issuance of the Series 2020 Bonds.

Section 3: That it authorizes the appropriate City officials, pursuant to Section (C)(3)(e) of Exhibit "K" to the Amended and Restated Development Agreement and Ground Lease between the Margaritaville Hollywood Beach Resort, L.P. and the City of Hollywood, Florida, to execute the attached Guaranty, which contains substantially the same terms and conditions as contained in the Guaranty executed for the Hollywood Beach Community Development District I Taxable Revenue Bonds (Public Parking Facilities Project) Series 2014, together with such non-material changes as may subsequently be approved by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4: That it authorizes the appropriate City officials to execute the attached Disclosure Dissemination Agent Agreement, which contains substantially the same terms and conditions as contained in the Disclosure Dissemination Agent Agreement executed for the Hollywood Beach Community Development District I Taxable Revenue Bonds (Public Parking Facilities Project) Series 2014, together with such non-material changes as may subsequently be approved by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 5: That if any section, paragraph, clause or provision of this Resolution shall be held to be invalid or ineffective for any reason, the remainder of this Resolution shall continue in full force and effect, it being expressly found and declared that the remainder of this Resolution would have been adopted despite the invalidity or ineffectiveness of such section, paragraph, clause or provision.

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Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2020.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

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

DOUGLAS R. GONZALES
CITY ATTORNEY