

**RESOLUTION 2014-06**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, RELATING TO THE STATE OF FLORIDA CLEAN WATER REVOLVING LOAN FUND PROGRAM; MAKING FINDINGS OF FACT; AUTHORIZING THE MAYOR OF MANGONIA PARK TO EXECUTE AND SUBMIT A LOAN APPLICATION ON BEHALF OF THE TOWN FOR FINANCING OF THE HILL AVENUE STORMWATER REPLACEMENT PROJECT; FURTHER AUTHORIZING THE MAYOR OF MANGONIA PARK TO EXECUTE THE LOAN AGREEMENT WITH THE STATE OF FLORIDA; DESIGNATING PLEDGED REVENUE; DESIGNATING AN AUTHORIZED REPRESENTATIVE; PROVIDING ASSURANCES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 403, *Florida Statutes*, provides for loans to local government agencies to finance the construction of water pollution control facilities, including stormwater facilities; and

**WHEREAS**, Chapter 62-503, *Florida Administrative Code* requires local government authorization to apply for such loans, to designate pledged revenues for repayment of such loans, to designate a local authorized representative, to provide assurances of compliance with loan program requirements, and to authorize the execution of a loan agreement for such loans; and

**WHEREAS**, the State Revolving Loan Fund Water Pollution Control Priority List for FY 2014 designates Project No. SW 50141, Town of Mangonia Park Hill Avenue Stormwater Replacement Project as eligible for available funding in the amount of \$1,140,000.00; and

**WHEREAS**, the deadline to apply for said loan is June 12, 2014; and

**WHEREAS**, the Town of Mangonia Park, Florida, desires to meet said deadline and apply for a loan in the amount of \$1,140,000.00, excluding Capitalized Interest, with the Florida Department of Environmental Protection under the State Revolving Loan Fund for water pollution control facilities to finance the Town of Mangonia Park Hill Avenue Stormwater Replacement Project, Project No. SW 50141, (the "Project"), as included on the State Revolving Loan Fund Water Pollution Control Priority List for FY 2014, and further desires to designate pledged revenues, designate an authorized representative, provide assurances of compliance with loan program requirements, and enter into a loan agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, AS FOLLOWS:**

**RESOLUTION 2014-06**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, RELATING TO THE STATE OF FLORIDA CLEAN WATER REVOLVING LOAN FUND PROGRAM; MAKING FINDINGS OF FACT; AUTHORIZING THE MAYOR OF MANGONIA PARK TO EXECUTE AND SUBMIT A LOAN APPLICATION ON BEHALF OF THE TOWN FOR FINANCING OF THE HILL AVENUE STORMWATER REPLACEMENT PROJECT; FURTHER AUTHORIZING THE MAYOR OF MANGONIA PARK TO EXECUTE THE LOAN AGREEMENT WITH THE STATE OF FLORIDA; DESIGNATING PLEDGED REVENUE; DESIGNATING AN AUTHORIZED REPRESENTATIVE; PROVIDING ASSURANCES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, Chapter 403, *Florida Statutes*, provides for loans to local government agencies to finance the construction of water pollution control facilities, including stormwater facilities; and

**WHEREAS**, Chapter 62-503, *Florida Administrative Code* requires local government authorization to apply for such loans, to designate pledged revenues for repayment of such loans, to designate a local authorized representative, to provide assurances of compliance with loan program requirements, and to authorize the execution of a loan agreement for such loans; and

**WHEREAS**, the State Revolving Loan Fund Water Pollution Control Priority List for FY 2014 designates Project No. SW 50141, Town of Mangonia Park Hill Avenue Stormwater Replacement Project as eligible for available funding in the amount of \$1,140,000.00; and

**WHEREAS**, the deadline to apply for said loan is June 12, 2014; and

**WHEREAS**, the Town of Mangonia Park, Florida, desires to meet said deadline and apply for a loan in the amount of \$1,140,000.00 with the Florida Department of Environmental Protection under the State Revolving Loan Fund for water pollution control facilities to finance the Town of Mangonia Park Hill Avenue Stormwater Replacement Project, Project No. SW 50141, (the "Project"), as included on the State Revolving Loan Fund Water Pollution Control Priority List for FY 2014, and further desires to designate pledged revenues, designate an authorized representative, provide assurances of compliance with loan program requirements, and enter into a loan agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, AS FOLLOWS:**

SECTION 1. The foregoing findings are incorporated herein by reference and are made a part hereof.

SECTION 2. The Town Council of the Town of Mangonia Park, Florida, hereby authorizes the Mayor of Mangonia Park to execute and make application for a loan through the State of Florida Revolving Loan Fund for water pollution control facilities to finance the Town of Mangonia Park Hill Avenue Stormwater Replacement Project, Project No. SW 50141, (the "Project") as included on the State Revolving Loan Fund Water Pollution Control Priority List for FY 2014.

SECTION 3. The revenues pledged for the repayment of said loan are net utility system fund revenues. There are no senior liens encumbering said utility system fund revenues.

SECTION 4. The Town Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION 5. 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 Town in carrying out the Town's responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate Town staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION 6. The legal authority for borrowing moneys to construct the Project is Sec. 403.1835, *Florida Statutes*, and the rules promulgated by the Department of Environmental Protection thereunder.

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

SECTION 8. 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 9. This Resolution shall become effective immediately upon its passage and adoption.


**PASSED and ADOPTED** this 15<sup>th</sup> day of April, 2014.

**TOWN OF MANGONIA PARK**

  
**WILLIAM H. ALBURY, III, MAYOR**

(SEAL)

**ATTEST:**

  
\_\_\_\_\_  
Sherry Albury, Town Clerk