

**RESOLUTION NO. 2018 - 043**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE USE OF FUNDS FROM A NEW EMERGENCY LINE OF CREDIT TO BE USED TO REIMBURSE THE TOWN FOR COSTS INCURRED IN CONNECTION WITH HURRICANE IRMA FOR DEBRIS REMOVAL AND RELATED EXPENSES (THE "PROJECT"); DECLARING ITS OFFICIAL INTENTION TO FINANCE THE COSTS OF THE PROJECT THROUGH ISSUANCE OF A NOTE FOR A NEW EMERGENCY LINE OF CREDIT; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town has an existing Emergency Line of Credit ("ELOC") with Centennial Bank which matures on June 30, 2018; and

**WHEREAS**, the Town is currently reviewing options for issuing a tax-exempt Note for a new ELOC to replace the existing ELOC, on or before June 30, 2018; and

**WHEREAS**, the Town has incurred costs and expenditures in connection with debris removal and other expenses due to damage caused by Hurricane Irma (the "Project"); and

**WHEREAS**, the Town intends to use the proceeds of the new ELOC for reimbursement of the costs of the Project; and

**WHEREAS**, Section 1.150-2 of the Federal Income Tax regulations requires an issuer of a Note to declare its intent to use proceeds of a tax exempt borrowing to reimburse expenditures paid prior to issuance of the Note as a prerequisite to the proceeds of the Note being treated as used for reimbursement purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Southwest Ranches, Florida:

**SECTION 1. ADOPTION OF RECITALS.** The foregoing recitals are true and correct, and are incorporated herein by reference.

**SECTION 2.** To the extent the Town has not previously done so, the Town hereby declares its reasonable official intention to finance the costs of the Project through the issuance of a Note for an ELOC in an amount, at a minimum, that is necessary to finance the costs of the Project, up to a maximum principal amount of \$10,000,000.00.

**SECTION 3.** The Town may continue to pay for a portion of the costs of the Project before it issues the Note for the new ELOC, in anticipation of the reimbursement of such expenditures from proceeds of the Note.

**SECTION 4.** The Mayor or Vice Mayor and the Town Administrator, as attested by the Town Clerk and approved as to legal form and correctness by the Town Attorney, are hereby authorized and directed to prepare any and all documents as may be required in connection with effecting the foregoing resolutions.

**SECTION 5. SAVINGS CLAUSE.** If any section, paragraph, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unenforceable, such decision shall not affect the validity of the remaining sections, paragraphs, sentences, clauses or phrase of this Resolution.

**SECTION 6. CONFLICTS.** All resolutions or parts thereof which conflict herewith are, to the extent of such conflict, superseded and repealed.

**SECTION 7. EFFECTIVE DATE.** This Resolution shall be effective immediately upon its adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Southwest Ranches,

Florida, this 22<sup>nd</sup> day of March, 2018, on a motion by

C/M Breitkreuz, seconded by V/M Fisikelli.

McKay

Fisikelli

Breitkreuz

Jablonski

Schroeder

Ayes  
Yes  
Yes  
Yes  
Yes

Ayes

Nays

Absent

Abstaining

5  
0  
0  
0

ATTEST:

Russell Muñiz

Russell Muñiz, Assistant Town Administrator/Town Clerk

Doug McKay  
Doug McKay, Mayor

Approved as to legal Form and Correctness

Keith M. Poliakoff, Esq.  
Keith M. Poliakoff, Esq., Town Attorney