

**GOLDEN BEACH, FLORIDA**

**RESOLUTION NO. 1564.04**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA AUTHORIZING AND APPROVING THE TOWN MANAGER, TOWN CLERK AND TOWN ATTORNEY TO EXECUTE AMENDMENT 1 TO THE TOWN OF GOLDEN BEACH'S STATE REVOLVING LOAN AGREEMENT WHICH PROVIDES AN EXTENSION OF TIME TO LOAN AGREEMENT SW12082103P; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town of Golden Beach entered into a State Revolving Fund Loan Agreement, Number 12082103P, as authorized by Resolution 1331.01 dated June 19, 2001; and

**WHEREAS**, the Town of Golden Beach did not meet certain benchmark dates; and

**WHEREAS**, the loan was in jeopardy if execution was delayed until the February council meeting; and

**WHEREAS**, in order to preserve the ability of the Town to secure funds under the aforesaid Loan Agreement, the amendment presented by the State needed immediate execution.

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

**Section 1.** That the Town Manager, Town Clerk and Town Attorney were within their authority to sign Amendment 1 to the State Revolving Fund Loan Agreement 12082103P under the approval given by the Mayor in order to preserve certain rights and benefits that would have been forfeited had such execution not occurred.

**Section 2.** That the execution of the Amendment allows for an extension of time in which the Town now has to comply with pre-construction activities.

**Section 3. Severability.** That the provisions of this Resolution are declared to be severable

and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

**Section 4. Conflict.** That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 5. Effective Date.** That this Resolution shall become effective immediately upon approval of the Town Council.

**Sponsored by Administration.**

The Motion to adopt the foregoing resolution was offered by Mayor Addicott, seconded by Councilmember Einstein and on roll call the following vote ensued:

Mayor Addicott	<u>AYE</u>
Vice Mayor Iglesias	<u>AYE</u>
Councilmember Einstein	<u>AYE</u>
Councilmember Paruas	<u>AYE</u>
Councilmember Singer	<u>ABSENT</u>

**PASSED AND ADOPTED** by the Town Council of the Town of Golden Beach this 17<sup>TH</sup> day of February, 2004.

  
MAYOR MICHAEL ADDICOTT

ATTEST:

  
CATHY SZABO  
TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
PAUL D. EICHNER  
TOWN ATTORNEY

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