

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2664.20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, RELATING TO THE STATE REVOLVING FUND (SRF) LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of stormwater treatment 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 priority list designates Project No.GB #13110 as eligible for available funding; and

WHEREAS; the Town of Golden Beach (the "Town") intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

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

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted and confirmed.

Section 2. Loan Authorization. The Town is authorized to apply for a loan to finance the Project.

Section 3. Establishment of Pledge Revenues. That the additional revenues pledged for the repayment of the loan are Stormwater Utility Fees.

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

Section 5. Designation. The Town 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 and Town Manager are authorized to represent the Town in carrying out the Town's responsibilities under the loan agreement. The Mayor and/or Town Manager are authorized to delegate responsibility to appropriate the Town staff to carry out technical, financial, and administrative activities associated with the loan agreement.

Section 6. Borrowing Authority. The legal authority for borrowing moneys to construct this Project is under §166.021, Florida Statutes.

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 All resolutions or part of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 8. Severability. 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. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

The Motion to adopt the foregoing Resolution was offered by Councilmember Mendal, seconded by Councilmember Lusskin, and on roll call the following vote ensued:

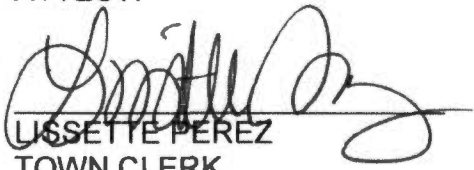
Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Jaime Mendal	<u>Aye</u>
Councilmember Bernard Einstein	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 28th day of January, 2020



MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

MEMORANDUM

Date: January 28, 2020

To: Honorable Mayor Glenn Singer &
Town Council Members

From: Alexander Diaz
Town Manager

Item Number:

8

Subject: Resolution No. 2664.20- Authorizing a State Revolving Fund (SRF) Loan Request

Recommendation:

It is recommended that the Town Council adopt the attached Resolution No. 2664.20 as presented.

Background:

The Town adopted a Facility Plan for the Stormwater Pump Station for Center Island in 2018. Shortly after, the Town commenced the application process for funding of the project. This item allows the Town to submit an SRF Loan Request and enter into a loan agreement with the Florida Department of Environmental Protection (FDEP) under the SRF for financing the Project.



STEPHEN J. HELFMAN, FOUNDING PARTNER
SHelfman@wsh-law.com

July 9, 2020

Via E-mail

Ms. Angela Knecht
Program Administrator
State Revolving Fund Management
3900 Commonwealth Blvd., Mail Station 3505
Tallahassee, Florida 32399-3000

Re: Project No.: GB #133110 – Town of Golden Beach, Florida
Project Name: Stormwater Facilities (Center Island Drainage System)

Dear Ms. Knecht:

I am the duly appointed Town Attorney for the Town of Golden Beach. The Town proposes to borrow \$951,414 from the State Revolving Fund for construction of the Town's stormwater facilities, specifically a center island drainage system. The loan will be secured by the net revenues of the Town's Stormwater Utility Fees based upon authorization of the Town Council under Resolution No. 2664.20.

The pledged revenues are legally available to pledge. The Town of Golden Beach has the legal authority to increase rates of its stormwater utility fees to ensure repayment of the loan. There are no senior liens subject to the pledge of the Town's revenues.

Should you have any questions or concerns, please do not hesitate to reach me at shelfman@wsh-law.com.

Sincerely,

Stephen J. Helfman

cc: Alexander Diaz, Town Manager (via email)
