1		RESOLUTION NO.			
2		PASSED			
3					
4	A res	solution of the City Commission of the City of Gainesville, Florida,			
5	relat	ing to the State Revolving Fund Loan Program, making findings;			
6	autn	orizing the loan application; authorizing the loan agreement;			
7	establishing pledged revenues; designating authorized representatives;				
8	prov	iding assurances; providing for conflicts, severability and an			
9	ımm	ediate effective date.			
10 11		PDIPAC DI-11 Comments of the c			
12	WHEREAS, Florida Statutes provide for loans to local government agencies to				
13	imance the c	onstruction of water pollution control facilities; and			
14	**/***	EDIFAC EL. 1 A 1			
15	WHEREAS, Florida Administrative Code rules require authorization to apply for				
16	loans; to establish pledged revenues: to designate an authorized representative; to provide				
17 .	assurances of compliance with loan program requirements; and to enter into a loan agreement; and				
18	agreement, a				
19	WEI	PDFAS the State Develoir - Found Land - 1			
20	WHEREAS, the State Revolving Fund loan priority list designates Project No. SW12049716P as eligible for available funding; and				
21	110. 5 11 1207	as eligible for available funding; and			
22	WHI	CREAS the City of Gainegvilla Florida intendada			
23	WHEREAS, the City of Gainesville, Florida, intends to enter into a loan agreemen with the Department of Environmental Protection under the State Revolving Fund for				
24	project financing;				
25	broleer mini	onig,			
26	NOW	, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF			
27	THE CITY O	OF GAINESVILLE, FLORIDA:			
28		- CIM (DD VIEDD, I DOIGH)A.			
29	Í.	The foregoing findings are incorporated herein by reference and made a part			
30	hereof.	and made a part			
31					
32	2.	The City of Gainesville, Florida, is authorized to apply for a loan in an			
33	amount not to exceed \$16,000,000 to finance the Project.				
34					
35	3.	The revenues pledged for the repayment of the loan are (a) stormwater			
36		utility revenues and (b) payments received by the City from the City's Gas			
37		Utility fund after the making of all other payments required to be made			
38		therefrom under the City's Utilities System Revenue Bond Resolution, as			
39		supplemented and amended and in accordance with the provisions of a			
40		Memorandum of Understanding between the City and Gainesville Regional			
41		Utilities.			
42					
43					
44	4.	The City Manager is hereby designated the authorized representative to			
45		provide the assurances and commitments required by the loan application			

2	5. The City Manager is hereby designated the authorized representative to						
3	execute the loan agreement which will become a binding obligation in accordance with its						
4 5	terms when signed by both parties and which will have terms consistent with this						
6	resolution. The City Manager is authorized to represent the City in carrying out the City's						
7	responsibilities under the loan agreement. The City Manager is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative						
8	activities associated with the loan agreement agree) results to a the self-self are delicated.						
9	providing asserances; providing for conflicts seem while and an						
10	6. The legal authority for borrowing moneys to construct this Project is						
11	§ 166.111(1), Florida Statutes.						
12	William A. Sibadia Sectutes provide for ioans op hand government automore						
13	7. All resolutions or parts of resolutions in conflict with any of the provisions						
14	of this resolution are hereby repealed.						
15	WIEREAS, Florida Administrative Code roles equates authorization apprilies.						
16	8.1. If any section or portion of a section of this resolution proves to be invalid.						
17 18	unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section of this resolution.						
18	or effect of any other section of this resolution.						
20	9. This resolution shall become effective immediately upon adoption.						
21	March 1997 - British Barran Barran (1998) - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998 - 1998						
22	PASSED AND ADOPTED this day of, 2004.						
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31	ATTEST: Approved as to form and legality						
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35	CLERK OF THE COMMISSION CITY ATTORNEY						
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## MEMORANDUM OF UNDERSTANDING CITY OF GAINESVILLE GENERAL GOVERNMENT AND GAINESVILLE REGIONAL UTILITIES (GRU) DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN – DEPOT PARK

The City of Gainesville is in the process of making application for a loan from the State Department of Environmental Protection Revolving Loan Fund. The principal amount of the loan is \$15,010,000, with the proceeds scheduled to fund two projects:

- \$4,312,000 for construction of an 11.5 acre wet-detention basin to treat stormwater from approximately 108 downtown acres. This basin will be a part of the City's "Depot Park" project (General Government).
- \$10,698,000 for removal of contaminants from a former manufactured gas plant operated near the Depot Park site. (GRU)

While the City of Gainesville is the borrower of record on the state loan, the obligation for repayment of the principal and interest on the issue is divided proportionately between General Government and the City's utility enterprise fund, GRU, along the project lines above.

This Memorandum of Agreement evidences GRU's obligation to General Government to fund the principal and interest on the Depot Park state loan related to the \$10,698,000 project cost for the manufactured gas plant contaminant removal. GRU will transfer their pro rata share of the debt service cost no later than the business day preceding the payment due date of each semiannual payment to the state through the life of the loan.

Under this Memorandum of Agreement, GRU commits to comply with the provisions of the Construction Loan Agreement between the State of Florida Department of Environmental Protection and the City of Gainesville.

For General Go	vernment	For Gainesville Regional Utilities
Wayne Bowers City Manager		Michael L. Kurtz General Manager for Utilities

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