

RESOLUTION 15-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA, AMENDING AND RESTATING SECTION 1 OF RESOLUTION NO. R-01-31, ADOPTED BY THE CITY COMMISSION ON JUNE 18, 2001; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 108 of Title I of the Housing and Community Development Act of 1974, as amended, and 24 of the Code of Federal Regulations, Subpart M, the U.S. Department of Housing and Urban Development ("HUD") may guarantee: (i) notes issued by units of local government eligible to receive annual Community Development Block Grants ("CDBG Grants"), and (ii) certificates backed by trusts or pools of such notes (such guarantees, the "Section 108 Loan Guarantee Program");

WHEREAS, the City of Alachua, Florida (the "City") is eligible to receive annual CDBG Grants pursuant to 24 Code of Federal Regulations, Section 570.705(b)(2);

WHEREAS, on June 18, 2001, the City Commission of the City adopted Resolution No. R-01-31, a copy of which is attached hereto as Exhibit A ("Resolution No. R-01-31"), authorizing the pledge of three (3) revenue streams as additional security (the "Additional Security") for the 2001 Note (as hereinafter defined) to be issued in connection with 2001 Public Offering (as hereinafter defined);

WHEREAS, in August 2001, the City issued a Promissory Note in the amount of \$2,250,000 (the "2001 Note") and participated in a pooled offering of certificates guaranteed pursuant to the Section 108 Loan Guarantee Program (the "2001 Public Offering");

WHEREAS, the City has been informed that on or about May 28, 2015, HUD will hold a new public offering of certificates issued under the Section 108 Loan Guarantee Program to refinance and legally defease, for savings, certificates issued in connection with the 2001 Public Offering (the "2015 Public Offering");

WHEREAS, the City has determined that a need exists to borrow funds to refinance and legally defease, for savings, the 2001 Note (the "Refinancing");

WHEREAS, the City has determined it to be in the best interest of the City to borrow funds through the participation in the 2015 Public Offering for purposes of financing the cost of the Refinancing;

WHEREAS, upon the consummation of the Refinancing, the 2001 Note will be legally defeased; and

WHEREAS, the City desires to amend and restate Section 1 of Resolution No. R-01-31 to authorize the pledge of the Additional Security for the 2015 Note in lieu of the 2001 Note.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF ALACHUA, FLORIDA:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to the Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, the City's Municipal Charter and other applicable provisions of law.

SECTION 2. AMENDMENT OF RESOLUTION NO. R-01-31. Section 1 of Resolution No. R-01-31 is hereby amended and restated in its entirety to read as follows:

SECTION 1. The City of Alachua, Florida (the "City") has the authority to pledge the 3 revenue streams identified in Section 2 hereof as additional security for the City's \$1,150,000 original principal amount Promissory Note No. BB-99-DC-12-001 delivered by the City in connection with the U.S. Department of Housing and Urban Development's Section 108 Loan Guarantee Program (the "Section 108 Loan Guarantee").

SECTION 3. That this resolution shall be in full force and effect immediately upon the effectuation of the Refunding.

PASSED AND RESOLVED in regular session of the City of Alachua, Florida, this 27th day of April, 2015.

**CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA**

Gib Coerper, Mayor
SEAL

ATTEST:

Traci L. Cain, City Manager/Clerk