



2018-2019 Florida Job Growth Grant Fund Public Infrastructure Grant Proposal

Proposal Instructions: The Florida Job Growth Grant Fund Proposal (this document) must be completed by the governmental entity applying for the grant and signed by either the chief elected official, the administrator for the governmental entity or their designee. Please read the proposal carefully as some questions may require a separate narrative to be completed. If additional space is needed, attach a word document with your entire answer.

Governmental Entity Information

Name of Governmental Entity: CITY OF HOLLYWOOD
Government Federal Employer Identification Number [REDACTED]

Primary Contact Name: Phyllis Shaw
Title: Utilities Accounting Supervisor
Mailing Address: P.O. Box 229045, 1621 N. 14th Avenue
Hollywood, FL 33020
Phone Number: 954 967 4455
Email: pshaw@hollywoodfl.org

Secondary Contact Name: Steve Joseph, P.E.
Title: Director, Department of Public Utilities
Phone Number: 954 967 4455

Public Infrastructure Grant Eligibility

Pursuant to section 228.101, F.S., the Florida Job Growth Grant Fund was created to promote economic opportunity by improving public infrastructure and enhancing workforce training. Eligible entities that wish to access this grant fund must submit public infrastructure proposals that:

- Promote economic recovery in specific regions of the state, economic diversification or economic enhancement in a targeted industry ([View Florida's Targeted Industries here](#)).
- Are not for the exclusive benefit of any single company, corporation or business entity.
- Are for infrastructure that is owned by the public and is for public use or predominately benefits the public.

1. Program Requirements:

(If additional space is needed, attach a word document with your entire answer.)

Each proposal must include the following information describing how the project satisfies eligibility requirements listed on page 1.

A. Provide a detailed description of the public infrastructure improvements.

The Royal Poinciana Sewer Expansion Project will be installed in the Royal Poinciana community. Please refer to attachment 1A for additional information on the description

B. Provide location of public infrastructure, including physical address and county of project.

The Royal Poinciana Sewer Expansion Project is located in Broward County
Please Refer to Attachment 1B & Attachment 1B-a (Map) for more information on the physical address

C. Is this infrastructure currently owned by the public? Yes No

If no, is there a current option to purchase or right of way provided to the County?

The Infrastructure is currently owned by the City of Hollywood

D. Provide current property owner.

City of Hollywood

E. Is this infrastructure for public use or does it predominately benefit the public?

Yes No

The Royal Poinciana project will benefit the public and it will be a shared system (sewer) and the wastewater is sent to a centralized treatment facility. Please see Attachment 1E

F. Will the public infrastructure improvements be for the exclusive benefit of any single company, corporation or business entity?

Yes No

G. Provide a detailed description of, and quantitative evidence demonstrating, how the proposed public infrastructure project will promote:

- Economic recovery in specific regions of the state;
- Economic diversification; or
- Economic enhancement of a Targeted Industry ([View Florida's Targeted Industries here](#)).
 - Describe how the project will promote specific job growth. Include the number of jobs that will be retained or created, and in which industry(ies) the new net jobs will be created using the North American Industry Classification System ([NAICS](#)) codes. Where applicable, you may list specific businesses that will retain or create jobs or make capital investment.
 - Provide a detailed explanation of how the public infrastructure improvements will connect to a broader economic development vision for the community and benefit additional current or future businesses.

The Royal Poinciana sewer expansion project will enhance development of other businesses in the area. Because of its location, there are options for many type of businesses to be developed in this areas. Because it is most residential, food and beverage (NAICS 445), clothing (NAICS 448) and general merchandising stores (NAICS 452), transportation by train (NAICS 482) continues to be excellent choice. There is a small industrial area which could accommodate businesses such as Motor Vehicle and Parts Dealers (NAICS 441) increasing the already existed ones and to improve upon the current ones. PLEASE SEE ATTACHMENT 1G

2. Additional Information:

(If additional space is needed, attach a word document with your entire answer.)

A. Provide the proposed commencement date and number of days required to complete construction of the public infrastructure project.

The Royal Poinciana project is estimated to commence construction December 2018 and complete activity on December 2021 (number of days 730)

B. What permits are necessary for the public infrastructure project?

There are several permits needed for the Royal Poinciana expansion project
The city will apply for permits beginning August 1 and anticipated each will take three months once the application is filed.

Please see attachment 2- B which includes the list of organization permit and time line

- C. Detail whether required permits have been secured, and if not, detail the timeline for securing these permits. Additionally, if any required permits are local permits, will these permits be prioritized?

The City's Consultant will be securing permits for the Royal Poinciana. Please see Attachment 2B for more information on the time line

- D. What is the future land use and zoning designation on the proposed site of the infrastructure improvements, and will the improvements conform to those uses?

The Royal Poinciana expansion project proposed improvements will conform to the current land use and zoning designations.

- E. Will an amendment to the local comprehensive plan or a development order be required on the site of the proposed project or on adjacent property to accommodate the infrastructure and potential current or future job creation opportunities? If yes, please detail the timeline.

Yes No

- F. Is the project ready to commence upon grant fund approval and contract execution? If no, please explain.

Yes No

- G. Does this project have a local match amount? Yes No

If yes, please describe the entity providing the match and the amount.

The Local match will be from the Department of Environmental Protection through their State Revolving Loan Program which we are pursuing. (Please see Attachment 1 for more information)

- H. Provide any additional information or attachments to be considered for this proposal. Maps and other supporting documents are encouraged.

PLEASE SEE ATTACHED MAPS
Attachment 2 H

3. Program Budget

(If additional space is needed, attach a word document with your entire answer.)

Estimated Costs and Sources of Funding: Include all applicable public infrastructure costs and other funding sources available to support the proposal.

1.) **Total Amount Requested** \$ 7,049,495
 Florida Job Growth Grant Fund

A. Other Workforce Training Project Funding Sources:

City/County \$ 0

Private Sources \$ 0

Other (grants, etc.) \$ 7,049,495

Please Specify: **SRF (2G)

Total Other Funding \$ 7,049,495

B. Public Infrastructure Project Funding Sources:

Construction \$ 13,500,000

Reconstruction \$ 0

Design & Engineering \$ 498,990

Land Acquisition \$ 0

Land Improvement \$ 0

Other \$ 100,000

Please Specify: Permit/Testin

Total Project Costs \$ 14,098,990

Note: The total amount requested must equal the difference between the workforce training project costs in 3. and the other Public infrastructure project funding sources in 2.

- C. Provide a detailed budget narrative, including the timing and steps necessary to obtain the funding and any other pertinent budget-related information.

1. Approved on August 30, 2017 Engineering Service Budget \$498,990 - completed
 2. Project approved on Hollywood's Capital Improvement Process (CIP) for \$13,500,000 Sept 27, 2017
 3. Completed Design June 2018 and start Contractor selection and subsequent award of a construction contract will adhere to Hollywood's procurement process and will be based on the lowest responsive and responsible bid submitted - see Attachment 3C for more info on bidding process
-

4. Approvals and Authority

(If additional space is needed, attach a word document with your entire answer.)

- A. If the governmental entity is awarded grant funds based on this proposal, what approvals must be obtained before it can execute a grant agreement with the Florida Department of Economic Opportunity (e.g., approval of a board, commission or council)?

The City of Hollywood Commission must approve the grant agreement at a publicly noticed meeting

If board authorization is not required, who is authorized to sign?

- B. If approval of a board, commission, council or other group is needed prior to execution of an agreement between the governmental entity and the Florida Department of Economic Opportunity:

- i. Provide the schedule of upcoming meetings for the group for a period of at least six months.
- ii. State whether entity is willing and able to hold special meetings, and if so, upon how many days' notice.

The City of Hollywood Commission meets twice a month and they would schedule a special meeting, with adequate notice to approve this project if the existing meeting schedule is a barrier to rapid approval. See Attachment 4B


- C. Attach evidence that the undersigned has all necessary authority to execute this proposal on behalf of the governmental entity. This evidence may take a variety of forms, including but not limited to: a delegation of authority, citation to relevant laws or codes, policy documents, etc.

The City of Hollywood Commission, as practice, will issue a resolution authorizing the City Manager (Wazir Ishmael, Ph.D) as the Authorized Representative to complete the agreement once this project is approved. Please see attached Attachment 4C and previous resolution.

I, the undersigned, do hereby certify that I have express authority to sign this proposal on behalf of the above-described entity and to the best of my knowledge, that all data and information submitted in proposal is truthful and accurate and no material fact has been omitted.

Name of Governmental Entity: CITY OF HOLLYWOOD

Name and Title of Authorized Representative: for Steve Joseph, P.E., Director Public Utilities

Representative Signature:  F. Diamond P.E. 8/6/18

Signature Date: August 6, 2018

Name of Government Entity: CITY OF HOLLYWOOD, FLORIDA

Employer Identification Number: [REDACTED]

Project Name: Royal Poinciana Sewer Expansion (Septic to Sewer)

Primary Contact Name: Phyllis Shaw, Utilities Accounting Supervisor

Other Contact: Steve Joseph, P.E., Director, Public Utilities

Contact Phone Number: 954 967 4455

tel: 954.967.4455
fax: 954.967.4450

Attachment #1A Page 2

The name of the project is Royal Poinciana Sewer Expansion

The Royal Poinciana Sewer Expansion bounded by Taft Street to the south, Sheridan Street to the north, Federal Highway to the east, and N. 21 Avenue to the west, has a mix of residential, commercial, and industrial land uses. Majority of the parcels in the area treat their wastewater with onsite septic tanks. The Royal Poinciana Sewer Expansion Project will provide an integrated new sewer collection system consisting of the following:

- Gravity Sewer Pipe:
 - 8-inch diameter – about 17,876 linear feet
 - 12-inch diameter – about 5,760 linear feet
 - 16-inch diameter – about 88 linear feet
- Manholes:
 - 96 standard 4 foot diameter manholes.
- Force Main:
 - 6-inch Diameter – 2,650 linear feet.
- New Lift Station:
 - Duplex Lift Station, including wetwell, submersible pumps, valve vault.
- Abandoning of Existing City Lift Station E-22
- Abandoning of Existing City Lift Station E-20
- Abandoning of five existing private lift stations

The City of Hollywood is located on the southeastern coast with 30 square miles including 6 linear miles of Atlantic Ocean Beaches. Hollywood is the third largest City in Broward County. According to the 2017 U.S. Census, the city's population was 151,998. The city is home to several institutions of higher learning including Barry University Department of Nursing and Health Sciences and Nova Southeastern University.

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Attachment #1A cont'd

The city operates a Regional Waste Water Treatment Plant (WWTP) for the bulk of southern Broward County. The Regional System services two types of customers: retail customers and Large Users. Large users' customers are made up of the following cities and county: Dania Beach, Hallandale Beach, Miramar, Pembroke Park, Pembroke Pines and Broward County. Currently approximately 46% of the City's water customers are without sewer. The City Commission is encouraging City a wide Septic-to-Sewer Program and has asked staff to move forward with a Septic to Sewer Expansion program. In addition, the City created an Economic Development Division with one of its mission to attract new business and retain and expand existing businesses. Coupled with this endeavor, we have made tremendous progress with the additions such as Chewy.com customer Service Center, Sintavia advanced additive Manufacturing facility and expansion plans for Joe DiMaggio Children Hospital. We continue to work on other public and private partnerships.

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Attachment 1B – Page 2

The Royal Poinciana is located in the City of Hollywood, FL Broward County and bounded by Taft Street to the South, Sheridan Street to the North, Federal High to the East, and N. 21st Avenue to the West. Please see attached map attachment 1B-a and 1B-b

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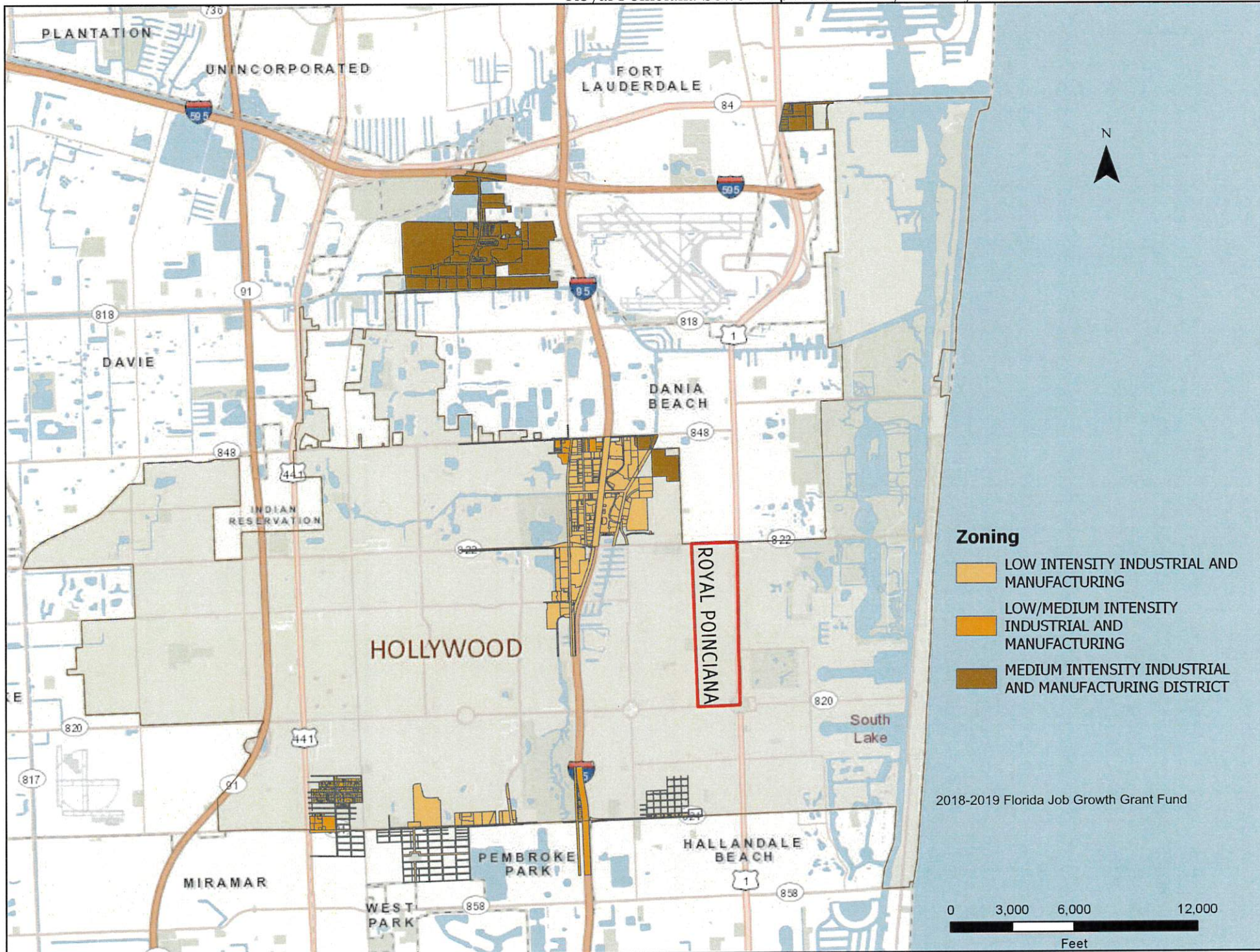
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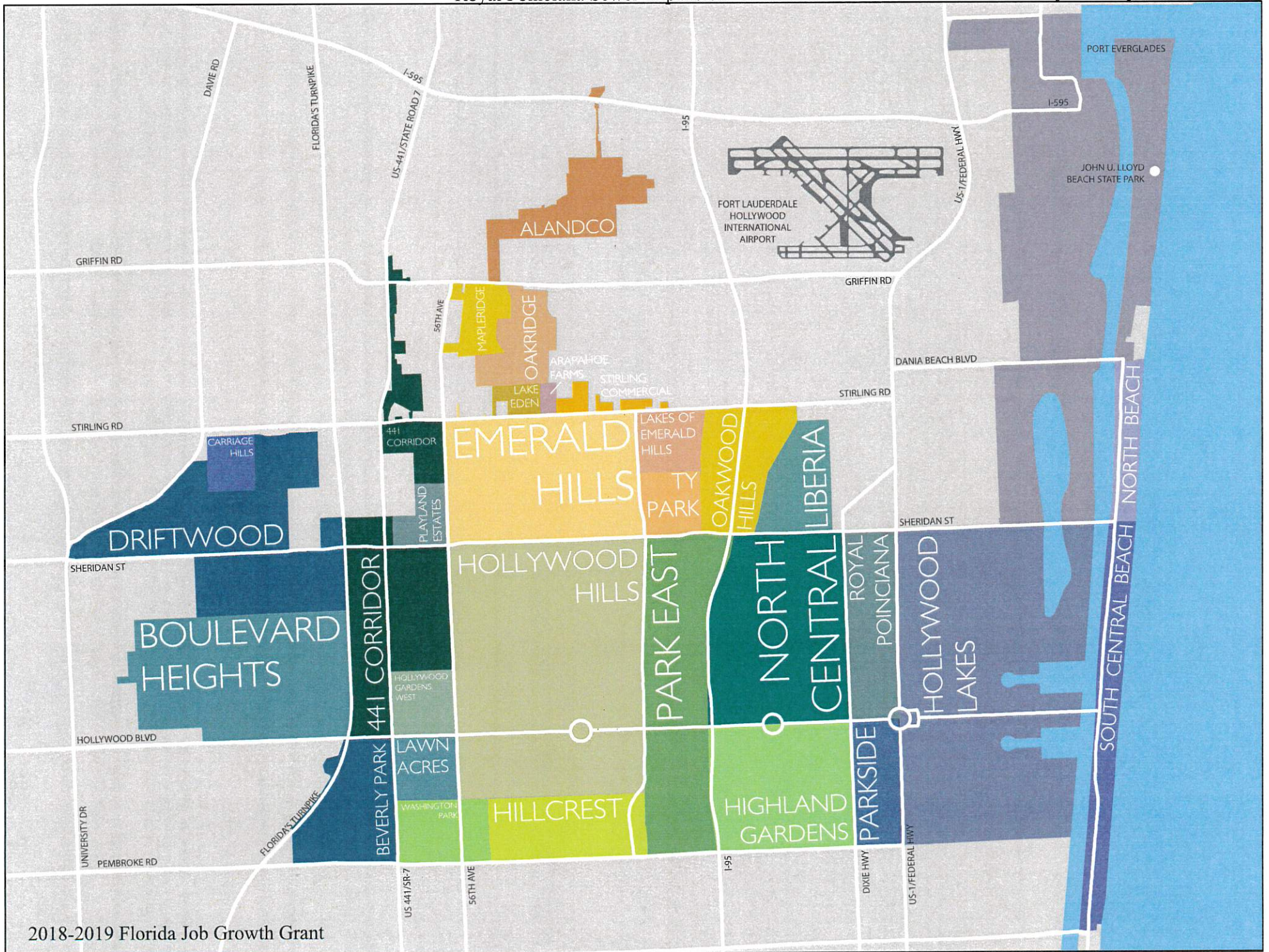
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2018-2019 Florida Job Growth Grant Fund



Attachment # 1 - E - Page 2

The Royal Poinciana project will be beneficial to the local community and Hollywood overall. Along with implementation of the Gravity Sewer pipe and new lift stations, the city will be implementing a water main replacement program within this same area with the intended goal of increasing utility service to city residents and protecting groundwater quality. The positive and economic effects would include less potential for raw sewage spills and improve groundwater by eliminating infiltration from the replaced septic systems. More businesses will benefit from the improved sanitary sewer capacity and improve the likelihood of adding more buildings/construction within the area. Several commercial and residential buildings such as Apartment complexes, assisted living facility, Broward Outreach Center, Office/warehouse facility, dollar tree and Salvation Army will all benefited from the new Sewer and water main systems. Installing the new sewer and water main will play an integral part in supporting the current businesses and the planned development for the area including many of the public/private partnerships taking place across the city.

Studies have also shown converting from Septic to Sewer can increase the value of homes as well which will lead to more demand for jobs within the area.

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Attachment 1 - G

Provide a detailed description of, and quantitative evidence demonstrating, how the proposed public infrastructure project will promote:

- **Economic recovery in specific regions of the state;**
- **Economic diversification; or**
- **Economic Enhancement of a Targeted Industry.**

The Royal Poinciana sewer expansion project will enhance business development in this area. The addition of sewer services will allow for more intense development to be realized in this area including higher intensity mixed-use buildings which can accommodate a diverse offering of commercial uses including destination retail and neighborhood commercial. This will stimulate the local economy and create employment opportunities in alignment with the City's Economic Development Strategic Action Plan to attract and expand business in the City of Hollywood. Because of the location of this project in a Regional Activity Center, there are options for many types of businesses to be developed in this area.

This area includes both a commercial retail corridor, Federal Highway, with food and beverage (NAICS 445), clothing (NAICS 448) and general merchandising stores (NAICS 452), as well as a corridor zoned for light manufacturing and assembly (NAICS 31-33) along with commercial uses such as automotive repair, rental and sales. The interior portion is made up primarily of single and multi-family residential. In 2016, the City re-zoned the area so that the zoning would match the Activity Center land use designation allowing for greater density and intensity of development. This vision can only occur with the addition of sanitary sewer services. The area also includes a rail corridor that has recently been expanded to provide intercity regional passenger service (via Brightline) and the development of commuter transportation by train (NAICS 482) continues to be planned for the future which would further support new business development and residential desirability. Along with the adoption of the Citywide Septic to Sewer conversion program, the city has also embarked on an Economic Development program focused on bringing more businesses into Hollywood along key corridors and in the Regional Activity Center. While this area has historically faced challenges related to redevelopment and attracting new business due to the lack of sewer infrastructure, the community is beginning to look forward to the growth potential. Economic growth and job development are at the heart of the City's Economic Development Strategic Action Plan. Based on the 2012 Census Data, overall Hollywood is estimated to have over 5,000 new business entrants and job growth.

Immediately, we will see the creation of at least 75 jobs through the construction (NAICS section 23) of the Royal Poinciana Sewer Expansion. The city has also included financial professional in its current year budget for new staff (NAICS 54121) and other Utilities staff (NAICS 921) to accommodate the workload associated with project implementations.

Page 5 Cont'd

Below is the current estimated breakdown of jobs in this area by NAICS code based on available census data.

NAICS	INDUSTRY	ESTIMATE
11	Agriculture & Mining	2
23	Construction	157
31-33	Manufacturing	49
51	Transportation	31
42	Wholesale Trade	164
44-45	Retail Trade Summary	149
52	Securities Brokers	2
52	Real Estate, Holding, Other Investment Offices	10
72	Hotels & Lodging	2
81	Automotive Services	3
51	Motion Pictures & Amusements	5
62	Health Services	7
61	Education Institutions & Libraries	2
81	Other Services	24
44-45	Home Improvement	13
44-45	General Merchandise Stores	12
44-45	Food Stores	2
44-45	Auto Dealers, Gas Stations, Auto Aftermarket	35
44-45	Furniture & Home Furnishings	32
44-45	Eating & Drinking Places	34
44-45	Miscellaneous Retail	22

The work force is impacted by national, state and regional trends with unemployment rate of 4% as of 2017 (FL DEO, LAUS) and trending downward. The city estimates the expansion of sewer to this area will result in retaining hundreds of existing jobs and growing hundreds of new jobs

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Attachment 2B

WATER AND WASTEWATER PERMITS INFORMATION SUMMARY PER SPEC 17140

Agency Issuing Permit	Permit Application No.	Permit Name/Form
Broward County Department of Health (water)	DEP Form 62-555.900(7) Alternate	Notice of Intent to Use the General Permit for Construction of Water Main Extensions for PWSs
Broward County Environmental Protection and Growth Management Department – Environmental Engineering and Permitting Division – Domestic Wastewater Licensing Program	* DEP Form 62-604.300(8)(a)	Application to Construct a Wastewater Collection/Transmission System Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System
Broward County Public Works Department - Highway Construction & Engineering Division	*	Application for Permit for Construction in the Public Right-of-Way
Florida Department of Transportation	710-010-85 Utilities (on-line)	Utility Permit(Sheridan Street and Federal Hwy)
Florida East Coast Railways	*	2018 Utility Crossing License Application (Polk St, Johnson St and Taft St.)

* Permit application does not have a form number.

Each Application will begin August 2018 and it will take three months to fully acquire

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Attachment 2-G and 3

What is the State Revolving Fund Loan Program (SRF)

The State Revolving Fund Loan program through the Florida Department of Environmental Protection agency provides low-interest loans to Local Government to plan, design, build/or upgrade wastewater, stormwater, drinking water, and non-point source pollution prevention projects. The program is quite competitive for local government and private utilities which begins with submitting a Request for Inclusion (RFI) form as the first step. The purpose of the form is to establish eligibility for funding which includes principal forgiveness and priority score based on the information in the RFI. Usually projects are funded based on the priority score and the city has been successful in obtaining funds through the program.

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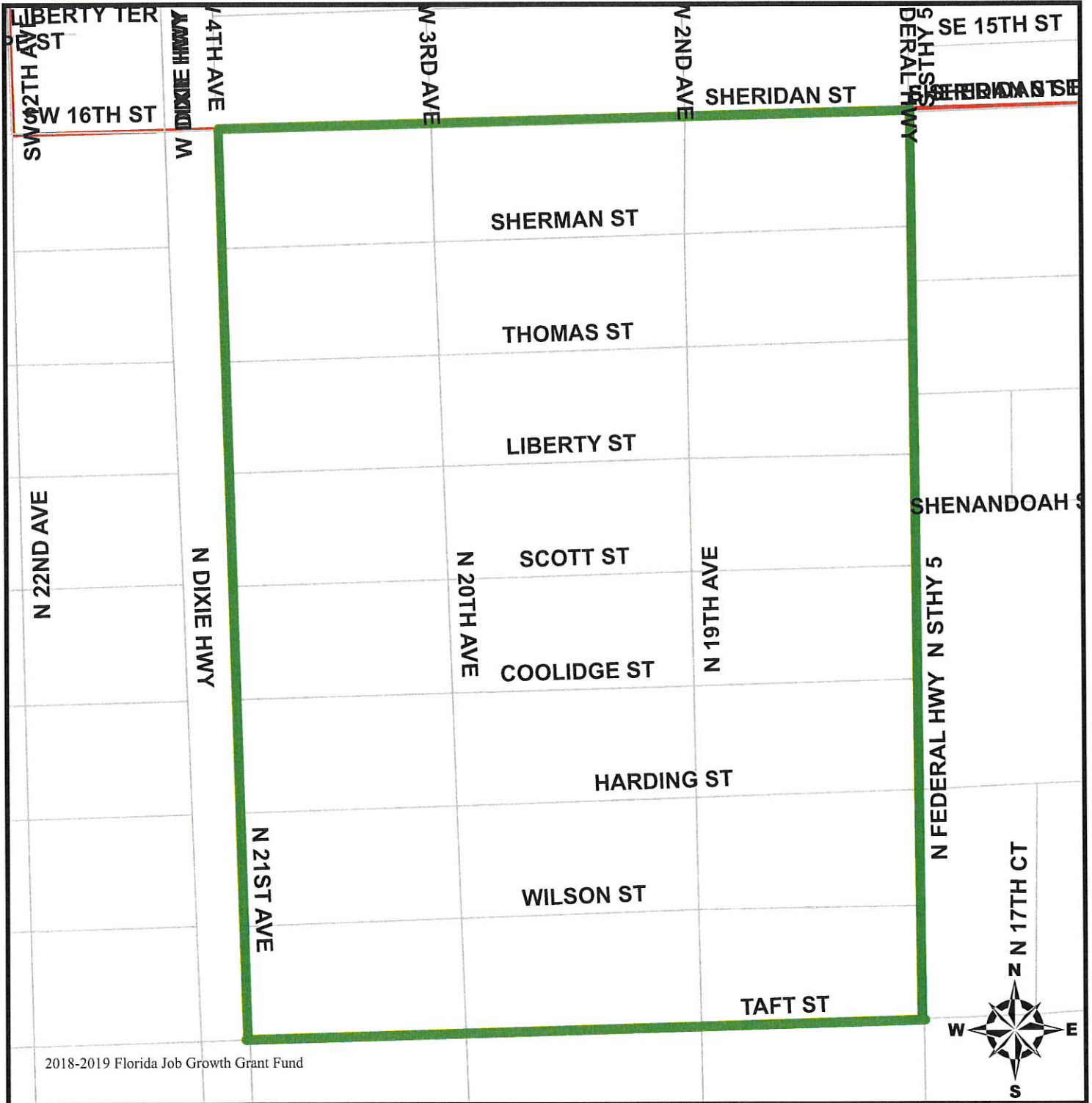
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Poinciana Sewer Area



city of Hollywood



2018-2019 Florida Job Growth Grant Fund

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INFORMATION PROVIDED IN THIS DOCUMENT, REGARDING SITE CONDITIONS, EXISTING STRUCTURES, AND EXISTING UNDERGROUND UTILITIES IS OFFERED SOLELY AS SUPPLEMENTAL INFORMATION. IT IS THE OWNER'S RESPONSIBILITY TO ENSURE ALL DATA IS FIELD VERIFIED AS TO ELEVATION, SIZE, AND LOCATION.



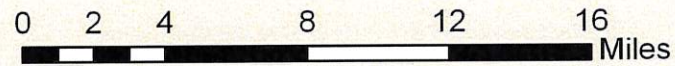
BROWARD

ROYAL POINCIANA

HOLLYWOOD



2018-2019 Florida Job Growth Grant Fund



Attachment 3C – Bidding Process

1. Advertise for bids on the City Website and Demand Star (normally for 30 days).
2. We hold a pre-bid meeting with all potential bidders.
3. Then issue addenda responding all questions from potential bidders.
4. Public Utilities Department and a representative from the City Clerk's Office open the bids received and identify the "apparent" low bidder (public meeting).
5. All bids are reviewed and tabulated to check for numerical errors/omissions. Contractor qualifications are reviewed.
6. If low bidder is determined to be qualified and responsive, then we issue a notice of intent to award the contract to the low bidder. If not, then we go with second low bidder and so on.
7. The resolution is prepared for City commission approval. Once approved, the notice of award is posted.
8. After resolution is approved, the Contractor executes the contract and then it is sent to the Authorized Signers for signature.
9. After contract is executed, we issue the notice to proceed so that the contractor can start working.

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Attachment 4 B - Page 6

The City of Hollywood's Commission Agenda as of June 11, 2018.

Regular Commission Meetings

2:00 PM	Wednesday, June 20, 2018
1:00 PM	Tuesday, July 3, 2018
RECESS	
1:00 PM	Wednesday, August 29, 2018
1:00 PM	Wednesday, September 5, 2018
1:00 PM	Thursday, September 20, 2018
1:00 PM	Wednesday, October 3, 2018
1:00 PM	Wednesday, October 17, 2018
1:00 PM	Wednesday, November 7, 2018
11:00 AM	Tuesday, November 20, 2018
1:00 PM	Wednesday, December 5, 2018
1:00 PM	Wednesday, December 19, 2018

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RESOLUTION NO. R-2018-235

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION FOR \$15,512,993.00 (INCLUDING CAPITALIZED INTEREST AND LOAN SERVICE FEE) FOR CONSTRUCTION FUNDS FOR THE 2018 SEPTIC TO SEWER EXPANSION PROGRAM PROJECT # 16-7077; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE; AND AMENDING THE APPROVED FISCAL YEAR 2018 OPERATING BUDGET FOR THE WATER AND SEWER ENTERPRISE FUND (42) (R-2017-288) AND AMENDING THE APPROVED FY2018 - FY2022 CAPITAL IMPROVEMENT PLAN (R-2017-289).

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of water facilities; and

WHEREAS, Florida Administrative Code regulations 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 Program with the Florida Department of Environmental Protection ("FDEP") will hold a hearing in August 2018 to approve funding for construction funds for the 2018 Septic to Sewer Expansion Program; and

WHEREAS, the City of Hollywood, Florida, intends to enter into a loan agreement with the FDEP under the State Revolving Fund Loan financing in the amount of \$15,512,993.00, including Capitalized Interest and Loan Service Fees of \$525,318.00; and

WHEREAS, on September 27, 2017, the City Commission approved Resolution Number R-2017-289, which adopted the FY2018 Capital Improvement Program and included funding in the amount of \$11,000,000.00 for the City Wide Sewer Expansion subject to accounts being created by the Department of Financial Services; and

WHEREAS, it is necessary to amend the approved Fiscal Year 2018 Water and Sewer Fund (42) operating budget and the approved FY2018 – FY2022 Capital Improvement Program, as detailed in the attached Exhibit "1", to allocate additional funding in the amount of \$4,512,993.00 for the Septic To Sewer Expansion program; and

WHEREAS, the Department of Public Utilities recommends that the City Commission authorize appropriate City officials to enter into a loan agreement with the FDEP under the State Revolving Fund for project financing in an amount of \$15,512,993.00, including Capitalized Interest and Loan Service Fees of \$525,318.00, for the 2018 Septic to Sewer Expansion Program.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated into this Resolution.

Section 2: That the City of Hollywood, Florida is authorized to apply for a loan to finance Sewer Expansion Project with the Florida Department of Environmental Protection.

Section 3: That the revenues pledged for the repayment of the loan are net water and sewer utility system revenues after payment of debt service on the City's Series 2010, 2014 and 2016 Water and Sewer Revenue Bonds and the State of Florida Revolving Fund Loans issued through 2018.

Section 4: That the City Manager is designated as the authorized representative to provide the assurances and commitments required by the loan application.

Section 5: That the City Manager is 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, and the City Manager is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

Section 6: That the legal authority for borrowing monies to construct this Project is the Florida Statutes.

Section 7: That it approves, adopts and authorizes an amendment to the Fiscal Year 2018 Water and Sewer Fund (42) operating budget and the approved FY2018 – FY2022 Capital Improvement Plan, as more specifically set forth in the attached Exhibit "1".

Section 8: That it authorizes the Department of Financial Services to create and establish certain accounts to recognize the receipt of funds and appropriate said funds for expenditures as may be required

Section 9: That all resolutions or part of resolutions in conflict with any of the provisions of this Resolution are repealed.

Section 10: That 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.

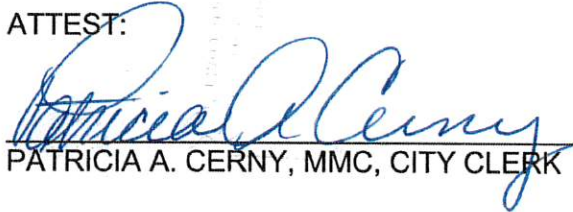
Section 11: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 3 day of July, 2018.



JOSH LEVY, MAYOR

ATTEST:



PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida only.



DOUGLAS R. GONZALES, CITY ATTORNEY ^{DR}

RESOLUTION NO. R-2018-236

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN, AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM STATE REVOLVING LOAN PROCEEDS FOR TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of water, wastewater and stormwater facilities; and

WHEREAS, the State Revolving Fund Loan Program with the Florida Department of Environmental Protection ("FDEP") will hold a hearing in August 2018 to approve funding financing for the 2018 Septic to Sewer Expansion Project, which is eligible for available funding; and

WHEREAS, United States Treasury Regulations §1.150-2 (the "Reimbursement Regulations") prescribe conditions under which proceeds of State Revolving Fund ("SRF") Loans used to reimburse advances made for capital and certain other expenditures ("Original Expenditures") paid before the issuance of such SRF Loans will be deemed to be expended (or properly allocated to expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code"), upon such reimbursement so that the proceeds so used will no longer be subject to requirements or restrictions under those sections of the Code; and

WHEREAS, certain provisions of the Reimbursement Regulations require that there be a Declaration of Official Intent no later than 60 days following payment of the Original Expenditures expected to be reimbursed from proceeds of SRF Loans, and that the reimbursement occur within certain prescribed time periods after an Original Expenditure is paid or after the property resulting from that Original Expenditure is placed in service; and

WHEREAS, the City of Hollywood, Florida (the "Borrower") wishes to take steps to comply with the Reimbursement Regulations.

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

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: Definitions. The following definitions apply to the terms used herein:

“Authorized Officer” means the City Manager or any person designated for the purpose by the City Manager.

“Declaration of Official Intent” means a declaration of intent, in the form, manner and time contemplated in the Reimbursement Regulations, that the advances for expenditures referred to therein are reasonably expected to be reimbursed from the proceeds of SRF Loans to be issued after those expenditures are paid.

“Reimbursement” or “reimburse” means the restoration to the Borrower of money temporarily advanced from its own funds and spent for Original Expenditures before the approval of the SRF Loans, evidenced in writing by an allocation on the books and records of the Borrower that shows the use of the SRF Loans to restore the money advanced for the Original Expenditure.

Section 3: Authorization and Requirement of Declarations of Official Intent. Each Authorized Officer is authorized to prepare and sign Declarations of Official Intent, in substantially the form attached, with respect to Original Expenditures to which the Reimbursement Regulations apply, to be made from money temporarily advanced and that is reasonably expected to be reimbursed (in accordance with applicable authorizations, policies and practices) from the proceeds of SRF Loans, to make appropriate reimbursement and timely allocations from the proceeds of the SRF Loans to reimburse such prior expenditures, and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations in order for the reimbursement to be treated as an expenditure of such proceeds for purposes of Sections 103 and 141 to 150 of the Code. No advance from any fund or account or order for payment may be made for Original Expenditures (other than expenditures excepted from such requirement under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of SRF Loans unless a Declaration of Official Intent with respect thereto is made within the time required by the Reimbursement Regulations.

PASSED AND ADOPTED this 3 day of July, 2018.

JOSH LEVY, MAYOR

ATTEST:
Patricia A. Cerny
PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida only.

DR
DOUGLAS R. GONZALES, CITY ATTORNEY