1 **RESOLUTION NO. R2025-23** 2 3 A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL RELATING TO THE STATE REVOLVING FUND LOAN 4 5 PROGRAM: MAKING FINDINGS: AUTHORIZING THE LOAN APPLICATION: AUTHORIZING THE LOAN AGREEMENT: 6 7 ESTABLISHING PLEDGED REVENUES; DESIGNATING 8 **AUTHORIZED** REPRESENTATIVES: **PROVIDING** 9 PROVIDING FOR **CONFLICTS AND** ASSURANCES: 10 SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE. 11 12 WHEREAS, Florida Statutes provide for loans to local government agencies to 13 finance the construction of wastewater treatment facilities; and 14 15 WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to 16 17 provide assurances of compliance with loan program requirements; and to enter into a 18 loan agreement; and 19 20 WHEREAS, the State Revolving Fund loan priority list designates Project No. 21 WW50160 as eligible for available funding; and 22 23 WHEREAS: the Village of Wellington, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving 24 25 Fund for project financing. 26 27 NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S 28 **COUNCIL** that: 29 30 **SECTION I.** The foregoing findings are true and correct and are incorporated 31 herein by reference and made a part hereof. 32 33 **SECTION II.** The Village of Wellington, Florida, is authorized to apply for a loan to 34 finance the Project. 35 36 **SECTION III.** The revenues pledged for the repayment of the loan are the utility 37 water and wastewater system revenues after payment of debt service on the Village's: 38 Village of Wellington, Florida, Water and Sewer System Suntrust Loan (1) 39 dated 12/12/2018. 40 Village of Wellington, Florida, Water and Sewer System Suntrust Loan (2)41 dated 01/04/2019. 42 43 Pursuant to Resolution 2018-70, the loan payments are payable from water and 44 wastewater revenues. As this is not pledged revenue, there are no other senior liens.

SECTION IV. The Village Manager is hereby designated as the authorized

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1 representative to provide the assurances and commitments required by the loan 2 application. 3 4 **SECTION V**. The Mayor is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with 5 its terms when signed by both parties. The Mayor is authorized to represent the Village 6 7 in carrying out the Village's responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate Village staff to carry out technical, 8 9 financial, and administrative activities associated with the loan agreement. 10 11 **SECTION VI.** The legal authority for borrowing monies to construct this Project is pursuant to Article VIII, section 2 of the Florida Constitution and Chapter 166 of the Florida 12 13 Statutes. 14 15 **SECTION VII**. All prior resolutions or portions thereof in conflict with any of the provisions of this Resolution are hereby repealed. 16 17 18 **SECTION VIII.** Should any section, paragraph, sentence, clause, or phrase of this 19 Resolution be declared by a court of competent jurisdiction to be invalid, unlawful, or 20 unconstitutional, such decision shall not affect the validity of this Resolution as a whole 21 or any portion or part thereof, other than the part so declared to be invalid. 22 23 **SECTION 3.** This Resolution shall become effective immediately upon adoption. 24 25 26 **PASSED AND ADOPTED** this _____ day of April, 2025. 27 28 ATTEST: WELLINGTON 29 30 By: By: Chevelle D. Hall, Village Clerk Michael J. Napoleone, Mayor 31 32 33 APPROVED AS TO FORM 34 AND LEGAL SUFFICIENCY 35 36 37 Laurie S. Cohen, Village Attorney 38 39