

RESOLUTION NO. R2025-78

A RESOLUTION OF WELLINGTON, FLORIDA'S COUNCIL, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM AUTHORIZING AND APPROVING AMENDMENT 1; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of water 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 currently designates Project No. DW501600 as eligible for available funding; and

WHEREAS, the Village of Wellington, Florida, entered into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for Project No. DW501600 financing per Resolution No. 2025-53 dated August 12, 2025

WHEREAS, The Village of Wellington, Florida is entitled to additional financing in the amount of \$4,570,804, excluding Capitalized Interest; and certain provisions of the Agreement need revision as provided in Amendment 1.

NOW, THEREFORE, BE IT RESOLVED BY WELLINGTON, FLORIDA'S COUNCIL, AS FOLLOWS:

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The Village of Wellington, Florida, is authorized to receive the additional financing as part of the loan to finance Project No. DW501600 pursuant to Amendment 1.

SECTION III. The revenues pledged for the repayment of the loan are net water system revenues after payment of debt service on the following:

Village of Wellington, Florida, Water and Sewer System Public Improvement Bonds, Series 2018, issued in the amount of \$10,000,000, pursuant to Resolution No. 2018-69; and

Village of Wellington, Florida, Water and Sewer System Public Improvement Bonds, Series 2019, issued in the amount of \$10,000,000, pursuant to Resolution No. 2018-69.

SECTION IV. The Village Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application and subsequent loan as amended.

SECTION V. The Mayor of the Village of Wellington 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 is authorized to represent the Village 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, financial, and administrative activities associated with the loan agreement.

SECTION VI. The legal authority for borrowing moneys to construct this Project is section 166.111 Florida Statutes.

SECTION VII. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION VIII. 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 IX. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2025.

ATTEST:

WELLINGTON

By: _____
Chevelle Hall, MMC, Village Clerk

By: _____
Michael J. Napoleone, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____
Laurie Cohen, Village Attorney