RESOLUTION NO. 2023-xx

A RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The City of Brevard ("City") has previously determined to undertake a project for purchasing capital equipment (the "Project") costing $850,000 and the Finance Officer has now presented a proposal for the financing of such Project as listed below:

DEPARTMENT	EQUIPMENT
FIRE FUND	One four wheel drive fire engine

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through First Citizens Bank Inc., in accordance with the proposal dated March 29, 2024. The amount financed shall not exceed $850,000 for a fifty nine month loan, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.33%, and the financing term shall not exceed fifty nine months from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action, the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the United Community Bank Inc. financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's sanitation or fire fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Adopted and approved this 6th day of May 2024.

_____
Maureen Copelof, Mayor

ATTEST:

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Denise Hodsdon, CMC
City Clerk