

RESOLUTION 00-213

A RESOLUTION OF THE CITY OF PARKER, FLORIDA AUTHORIZING AN UNSECURED LINE OF CREDIT FROM PEOPLES FIRST COMMUNITY BANK IN AN AMOUNT NOT TO EXCEED \$300,000. PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY OF PARKER, FLORIDA, as follows:

SECTION 1. AUTHORITY FOR RESOLUTION. This Resolution is adopted pursuant to the provisions of the Constitution of Florida, the Charter of the City of Parker, Florida, as amended, Chapter 166, Part II Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared that:

- A. It is necessary and in the best interest and welfare of the citizens of the City of Parker, Florida (the "City") to secure an unsecured line of credit (the "Obligation") substantially in the form attached hereto as Exhibit "A", in the amount not to exceed \$300,000 for purchase of certain municipally owned equipment, capital improvements to municipally owned property and any other lawful purpose.
- B. The Obligation will be payable solely from non-ad valorem revenues of the City, provided however, the Bank, as herein defined, shall have no lien on such non-ad valorem revenues and the City shall not be prohibited from pledging such non-ad valorem revenues for any lawful purpose.

SECTION 3. AUTHORIZATION OF OBLIGATION. Subject and pursuant to the provisions hereof, an unsecured line of credit by Peoples First Community Bank (the "Bank") to the City is hereby authorized in an amount not to exceed \$300,000 payable from non-ad valorem revenues of the City. The principal and interest on the Obligation shall be payable solely from the non-ad valorem revenues of the City. The Obligation shall not constitute an indebtedness, liability, general or moral obligation, or a pledge of the faith, credit or taxing power of the City, the State of Florida (the "State") or any political subdivision thereof, within the meaning of any constitutional statutory or charter provisions. Neither the State, nor any political subdivision thereof, nor the City shall be obligated (1) to levy ad valorem taxes on any property to pay the principal of the Obligation, the interest thereon, or other costs incidental thereto or (2) to pay the same from any other funds of the City except from the non-ad valorem revenues of the City, in the manner provided herein.

SECTION 4. TAX COVENANT. No use will be made of the proceeds of the Obligation which, if such use were reasonably expected on the date of the Obligation, would cause the same to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986. The City at all times while the Obligation and the interest thereon are outstanding will comply with the requirements of the Internal Revenue Code of 1986, and any applicable rules and regulations promulgated thereunder necessary to maintain the exclusion of the interest on the obligation from federal gross income including the creation of any rebate funds or other funds and/or accounts required in that regard. The City shall at all times do and perform all acts and things permitted by law and this Resolution which are necessary or desirable in order to assure that interest paid on the Obligation will be excluded from gross income for federal income tax purposes and shall take no action that would result in such interest not being excluded from gross income for federal income tax purposes.

SECTION 5. BANK QUALIFIED. The City designates the Obligation as "qualified tax -exempt Bonds" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). The City and any subordinate entities of the City and any issuer of "tax-exempt" debt that issues "on behalf of" the City do not reasonably expect during the calendar year 2001 to issue more than \$10,000,000 of "tax-exempt" obligations, exclusive of any private activity bonds, as defined in Section 141(a) of the Code.

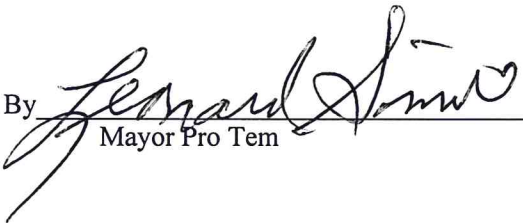
SECTION 6. OTHER MATTERS. The Mayor and City Clerk of the City, or any other appropriate officers of the City are hereby authorized and directed to execute any and all certifications or other instruments or documents required by this Resolution or any other document referred to above as a prerequisite or precondition to the issuance of the Obligation and any such representation made therein shall be deemed to be made on behalf of the City. All action taken to date by the officers of the City in furtherance of the issuance of the Obligation is hereby approved, confirmed and ratified.

SECTION 7. SEVERABILITY. If any one or more of the covenants, agreement of provisions of this Resolution should be held contrary to any express provisions of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reasons whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separate from the remaining covenants, agreements or provisions, and in no way effect the validity of all other provisions of this Resolution or the Obligation.

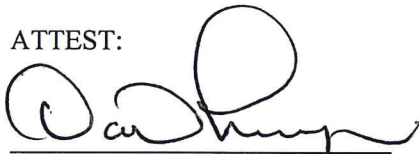
SECTION 8. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

PASSED by the City Council of the City of Parker, Florida, this 6th day of February, 2001.

CITY COUNCIL OF THE CITY OF PARKER,
FLORIDA

By 
Mayor Pro Tem

ATTEST:


David Linger, City Clerk