

RESOLUTION 2016-20

A RESOLUTION OF CITY OF LAKE WALES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of wastewater treatment 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 designates **Project No. WW530330** as eligible for available funding; and

WHEREAS; the City of LAKE WALES, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, AS FOLLOWS:

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

SECTION II. The City of Lake Wales, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on the Utility System Refunding Revenue Note, Series 2006 A, Utility System Note, Series 2006B, and other obligations as shown on Exhibit "A."

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

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 its terms when signed by both parties. The Mayor is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate City 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 is hereby repealed.

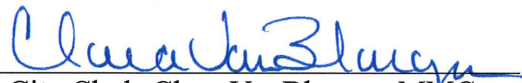
SECTION VIII. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

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

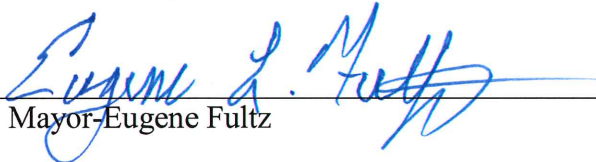
PASSED and ADOPTED this 20th Day of September 2016.

ATTEST

APPROVED AS TO FORM AND
LEGALITY


City Clerk-Clara VanBlargen, MMC


City Attorney-Albert C Galloway, Jr


Mayor-Eugene Fultz

ALBERT C. GALLOWAY, JR., P.A.

POST OFFICE BOX 3339
202 EAST STUART AVENUE
LAKE WALES, FL 33859-3339
TELEPHONE 863/679-5333
FAX 863/679-5332
CHUCK@ACGPA.NET

August 16, 2016

Tommy Williams
Sr. Management Analyst
Division of Water Restoration Assistance
3900 Commonwealth Boulevard MS3505
Tallahassee, Fl. 32399-3000

Re: DW530320-City of Lake Wales
SR 60 Utility Expansion

Dear Mr. Williams:

I am the duly appointed City Attorney for the City of Lake Wales. The City proposes to borrow \$2,797,793 from the State Revolving Fund for water transmission systems for the State Road 60 Western Expansion. The loan will be secured by the net revenues of the City's water and sewer system and the pledged revenues are legally available to pledge. The City of Lake Wales has the legal authority to increase rates to ensure repayment of the loan.

The pledge on revenues is subject to a prior lien with the following issues:

- (1) SRF-5907P
- (2) SRF-59110
- (3) SRF-5912S
- (4) SRF-5913P
- (5) SRF-95140
- (6) SRF-53030
- (7) SRF-530310
- (8) Series 2003
- (9) Series 2005
- (10) Series 2006A
- (11) Series 2006B

Sincerely,



Albert C. Galloway, Jr.
City Attorney

ACG/rg

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE REVOLVING LOAN PROGRAM
for
Point Source Water Pollution Control

LOAN APPLICATION



Florida Department of Environmental Protection
State Revolving Fund Program
Twin Towers Office Building
2600 Blair Stone Road, MS 3505
Tallahassee, FL 32399-2400

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LOAN APPLICATION

- (1) SUBMITTAL. Submit the application and attachments to the Department of Environmental Protection, MS 3505, State Revolving Fund Program, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The application (and backup) may be submitted electronically to the Department's Project Manager.
- (2) COMPLETING THE APPLICATION.
 - (a) This application consists of five parts: (I) ADMINISTRATIVE INFORMATION; (II) PROJECT INFORMATION; (III) FINANCIAL INFORMATION; (IV) AUTHORIZATION AND ASSURANCES; and (V) SUPPLEMENTARY INFORMATION.
 - (b) All information provided on this application must be printed. Monetary amounts may be rounded.
 - (c) Forms and attachments to be submitted are denoted with italic print.
- (3) ASSISTANCE. Completing this application may require information that can be obtained from Clean Water State Revolving Fund Program staff. Please email SRF_Reporting@dep.state.fl.us for assistance in completing this application.

PART I - ADMINISTRATIVE INFORMATION

- (1) PROJECT SPONSOR City of Lake Wales
Federal Employer Identification Number 59-6000357
DUNS Number _____
- (2) AUTHORIZED REPRESENTATIVE (person authorized to sign or attest loan documents).
Name Eugene Fultz Title Mayor
Telephone 863-678-4182 225 FAX 863-678-4180 Email efultz@cityoflakewales.com
Mailing Address 201 W Central Ave, Lake Wales, Florida 33853
- (3) PRIMARY CONTACT (person to answer questions regarding this application).
Name Sarah B. Kirkland Title Utilities Director
Telephone 863-678-4182 286 FAX 863-678-4074 Email skirkland@cityoflakewales.com
Employer City of Lake Wales
Mailing Address 201 W Central Ave, Lake Wales, Florida 33853
- (4) ADDITIONAL CONTACTS. If more than one additional person is to receive copies of Department correspondence, attach the information (*Attachment #* _____).
Name Dorothy Ecklund Title Finance Director
Telephone 863-678-4182 257 FAX 863-678-4634 Email decklund@cityoflakewales.com
Employer City of Lake Wales
Mailing Address 201 W Central Ave, Lake Wales, Florida 33853
- (5) PROJECT NUMBER (listed on the Department's priority list). _____
- (6) INTERIM FINANCING. A local government project sponsor that has interim financing may be subject to certain conditions regarding such financing.

Is the project currently being funded with interim financing?

☐ Yes ☒ No

PART II – PROJECT INFORMATION

If you are applying for a planning, design, or SSES loan for a project that will involve construction, complete only Subpart A below. If you are applying for a loan to construct a project that is already planned and designed, complete only Subpart B below.

A. PLANNING, DESIGN OR SSES PROJECT

Information should be provided for each separate facility to be planned and designed as appropriate. For design/build projects (not eligible for design loans) or those where multiple facilities, segments, or phases are involved, please attach information for activities, schedule, and cost for each. (*Attachment #*_____)

- (1) ACTIVITIES. Attach a brief description of the scope of planning and design activities to be financed by this loan. Include a list of any specialized studies to be performed. (*Attachment #*_____). Are these activities the same as those scheduled on the *Request for Inclusion Form*? ☐ Yes ☐ No. If "No", please explain. (*Attachment #*_____)
- (2) SCHEDULE.
- (a) Provide proposed completion dates for the items. (Please call Department staff to discuss time frames needed to complete required tasks.)
- | | |
|------------------------------------|-------|
| Planning documentation | _____ |
| Engineering work | _____ |
| Certification of site availability | _____ |
| Permit | _____ |
- (b) Do you anticipate that an interlocal agreement with another party will be necessary to implement the project? If "Yes", please explain. (*Attachment #*_____). ☐ Yes ☐ No
- (c) Is this a design/build project? ☐ Yes ☐ No
- (3) COST. Is the cost information submitted for the planning, design or SSES loan priority list current? If "No", please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (*Attachment #*_____). Note that the disbursable amount will be limited to the priority list amount. ☐ Yes ☐ No

PRECONSTRUCTION LOAN APPLICANTS PROCEED TO PART III.

B. CONSTRUCTION OR I/I REHABILITATION PROJECT

- (1) ACTIVITIES.
- (a) Attach a brief description of construction or I/I rehabilitation activities to be financed by this loan. Include a list of the contracts (by title) corresponding to the plans and specifications accepted by the Department (*Attachment 1*). Are these contracts the same as those scheduled on the *Request for Inclusion Form*? ☐ Yes ☐ No. If "No", please explain. (*Attachment #*_____)
- (b) Have any of the contracts been bid? ☐ Yes ☒ No. If "Yes", indicate which contracts have been bid. (*Attachment #*_____)
- (c) Was planning, design, or SSES for this project financed in another SRF loan? ☐ Yes ☒ No. If "Yes", give the SRF loan number. _____
- (d) Does this project involve an interlocal agreement with other local governments or other entities? ☐ Yes ☒ No. If "Yes", attach a copy of the Department letter accepting the interlocal agreement. (*Attachment #*_____). Is the interlocal agreement, as accepted by the Department, fully executed and enforceable? ☐ Yes ☐ No. If "No", please explain (*Attachment #*_____).

- (2) SCHEDULE. (month and year)
- (a) Anticipated notice to proceed for first construction contract. 10/19/2016
- (b) Anticipated completion of all construction contracts. 9/30/2018
- (3) COST. Is the cost information submitted for the priority list current? ☒ Yes ☐ No
- If "No", please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (Attachment #_____) Note that the disburseable amount will be limited to the priority list amount.

PART III - FINANCIAL INFORMATION

Estimates of the capitalized interest, project useful life for financial hardship loans, financing rate, pledged revenue coverage, limitations on annual loan amounts for large projects, applicability and amount of repayment reserves, amount of the loan service fee and any other information may be obtained by contacting staff in the State Revolving Fund Management Section.

- (1) PRINCIPAL. The requested amount of the loan which does not include capitalized interest is \$3,625,519.45
- Note that the disburseable amount will be limited to the priority list amount and must be consistent with the project information provided under **PART II** of this application. Also note that the capitalized interest is an inexact estimate, and it is subject to adjustment by the Department to reflect actual disbursement timing. The principal amount of the loan does not include the loan service fee.
- (2) TERMS AND REPAYMENT.
- (a) Loans to local government project sponsors are amortized over the lesser of useful life of the project or 20 years unless the project is to serve a small community qualifying as having a financial hardship. Loans to financial hardship communities may be amortized over the lesser of useful life of the project or 30 years. Loans to non-governmental project sponsors are amortized over the lesser of the useful of the project or 20 years. Finance charges and principal are paid semiannually.
- What is the useful life of the project? 40 (years)
- Over how many years would you like to amortize the loan? 20 (years)
- (b) List all revenues that are to be pledged for repayment of this loan. All Utility Revenues.
- (c) Pledged revenue receipts or collections by the project sponsor must exceed the amount of the repayments due to the Department unless there are other collateral provisions. The excess revenue, or coverage, generally is 15% of each repayment.
- What coverage is proposed for the loan? 15% (coverage percentage)
- (d) Is any other financial assistance being applied to this project? ☐ Yes ☒ No
- If "Yes", please list. (Attachment #_____)
- (3) ANNUAL FUNDING LIMIT. Large project funding (generally, loans in excess of \$10 million) may be provided in increments pursuant to the initial loan agreement and subsequent amendments. Each increment shall have a separate financing rate as established in the agreement or amendment providing that increment.
- (4) INFORMATION ON LIENS.
- (a) Describe, if applicable, all debt obligations having a prior or parity lien on the revenues pledged to repay this loan. (Attachment # 2) For example: City Name, Florida, Water and Sewer System Revenue Bonds, Series 1996, issued in the amount of \$10,000,000, pursuant to Ordinance No. 93-104, as amended and supplemented by Ordinance No. 96-156.
- (b) Using the Part V, *Schedule of Prior and Parity Liens*, provide debt service information, if applicable, on each prior and parity obligation.

- (c) For the listed obligations, provide a copy of the ordinance(s), resolution(s), official statement(s), or pages thereof, setting forth the definitions, use of proceeds, debt service schedule, pledged revenues, rate covenants, provisions for issuing additional debt, provisions for bond insurance, and debt rating. (*Attachment # 3*).
- (d) Describe any other notes and loans payable from the revenues pledged to repay this loan. (*Attachment # 4*).
- (5) ACTUAL AND PROJECTED REVENUES.
 - (a) Complete the Part V, *Schedule of Actual Revenues and Debt Coverage* for the past two fiscal years.
 - (b) Complete the Part V, *Schedule of Projected Revenues and Debt Coverage*, demonstrating the availability of pledged revenues for loan repayment.
- (6) AVAILABILITY OF PLEDGED REVENUES. All sources must be supported by a written legal opinion. (*Attachment # 5*) The opinion must address the following:
 - (a) Availability of the revenues to repay the loan.
 - (b) Right to increase rates at which revenues shall be collected to repay the loan.
 - (c) Subordination of the pledge if pledged revenues are subject to a prior or parity lien.
- (7) LOAN SERVICE FEE. A loan service fee is assessed on each loan. The fee is not part of the loan. The fee along with interest thereon will be deducted from the first available repayments after the final amendment to the loan agreement.

PART IV – AUTHORIZATION AND ASSURANCES

- (1) AUTHORIZATION. Provide an authorizing resolution of the Applicant's governing body or other evidence of authorization (*Attachment # 6*) for the following:
 - (a) Pledging revenues to repay the loan.
 - (b) Designation of the Authorized Representative(s) to file this application, provide assurances, execute the loan agreement, and represent the Applicant in carrying out responsibilities (including that of requesting loan disbursements) under the loan agreement.
- (2) ASSURANCES. The Applicant agrees to comply with the laws, rules, regulations, policies and conditions relating to the loan for this project. Applicants should seek further information from the Clean Water State Revolving Fund Program staff as to the applicability of the requirements if the necessity for the assurances is of concern. Specifically, the Applicant certifies that it has complied, as appropriate, and will comply with the following requirements, as appropriate, in undertaking the Project:
 - (a) Assurances for capitalization grant projects.
 - 1. Complete all facilities for which funding has been provided.
 - 2. The Archaeological and Historic Preservation Act of 1974, PL 93-291, and the National Historic Preservation Act of 1966, PL 89-665, as amended, regarding identification and protection of historic properties.
 - 3. The Clean Air Act, 42 U.S.C. 7506(c), which requires conformance with State Air Quality Implementation Plans.
 - 4. The Coastal Zone Management Act of 1972, PL 92-583, as amended, which requires assurance of project consistency with the approved State management program developed under this Act.
 - 5. The Endangered Species Act, 16 U.S.C. 1531, et seq., which requires that projects avoid disrupting threatened or endangered species and their habitats.
 - 6. Executive Order 11593, Protection and Enhancement of the Cultural Environment, regarding preservation, restoration and maintenance of the historic and cultural environment.
 - 7. Executive Order 11988, Floodplain Management, related to avoiding, to the extent possible, adverse impacts associated with floodplain occupancy, modification and development whenever there is a practicable alternative.
 - 8. Executive Order 11990, Protection of Wetlands, related to avoiding, to the extent possible, adverse impacts associated with the destruction or modification of wetlands and avoiding support of construction in wetlands.
 - 9. The Fish and Wildlife Coordination Act, PL 85-624, as amended, which requires that actions to control natural streams or other water bodies be undertaken to protect fish and wildlife resources and their habitats.

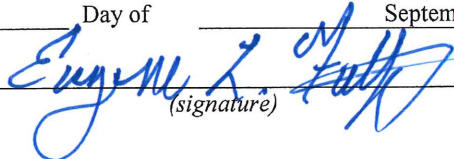
10. The Safe Drinking Water Act, Section 1424(e), PL 93-523, as amended, regarding protection of underground sources of drinking water.
11. The Wild and Scenic Rivers Act, PL 90-542, as amended, related to protecting components or potential components of the national wild and scenic rivers system.
12. The federal statutes relating to nondiscrimination, including: The Civil rights Act of 1964, PL 88-352, which prohibits discrimination on the basis of race, color or national origin; the Age Discrimination Act, PL 94-135, which prohibits discrimination on the basis of age; Section 13 of the Federal Water Pollution Control Act, PL 92-500, which prohibits sex discrimination; the Rehabilitation Act of 1973, PL 93-112, as amended, which prohibits discrimination on the basis of handicaps.
13. Executive Order 11246, Equal Employment Opportunity, which provides for equal opportunity for all qualified persons.
14. Executive Orders 11625 and 12138, Women's and Minority Business Enterprise, which require that small, minority, and women's business and labor surplus areas are used when possible as sources of supplies, equipment, construction and services.
15. The Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq., regarding protection and conservation of the coastal barrier resources.
16. The Farmland Protection Policy Act, 7 U.S.C. 4201 et seq., regarding protection of agricultural lands from irreversible loss.
17. The Uniform Relocation and Real Property Acquisition Policies Act of 1970, PL 91-646, which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs.
18. The Demonstration Cities and Metropolitan Development Act of 1966, PL 89-754, as amended, which requires that projects be carried out in accordance with area wide planning activities.
19. Section 306 of the Clean Air Act, Section 508 of the Clean Water Act and Executive Order 11738, which prohibit manufacturers, firms, or other enterprises on the EPA's list of Violating Facilities from participating in the Project.
20. Executive Order 12549, Debarment and Suspension, which prohibits any award to a party which is debarred or suspended or is otherwise excluded from, or ineligible for, participation in federal assistance programs.
21. Minority and Women's Business Enterprise participation in project work using numerical goals, established by the U.S. Environmental Protection Agency, and to be set forth in the specifications for construction and materials contracts.

(b) Assurances for other projects.

1. Chapter 161, Part I, F.S., "Beach and Shore Preservation Act" and Part III, "Coastal Zone Protection Act of 1985" which regulate coastal zone construction and all activities likely to affect the condition of the beaches or shore.
2. Chapter 163, Part II, F.S., the "Local Government Comprehensive Planning and Land Development Regulation Act" which requires units of local government to establish and implement comprehensive planning programs to control future development.
3. Chapter 186, F.S., State and Regional Planning, which requires conformance of projects with Regional Plans and the State Comprehensive Plan.
4. Chapter 253, F.S., "Emergency Archaeological Property Acquisition Act of 1988" which requires protection of archaeological properties of major statewide significance discovered during construction activities.
5. Chapter 258, Part III, F.S., which requires protection of components or potential components of the national wild and scenic rivers system.
6. Chapter 267, F.S., the "Florida Historical Resources Act" which requires identification, protection, and preservation of historic properties, archaeological and anthropological sites.
7. Chapter 287, Part I, F.S., which prohibits parties convicted of public entity crimes or discrimination from participating in State-assisted projects and which requires consideration of the utilization of Minority Business Enterprises in State-assisted projects.
8. Chapter 372, F.S., the Florida Endangered and Threatened Species Act which prohibits the killing or wounding of an endangered, threatened, or special concern species or intentionally destroying their eggs or nest.

9. Chapter 373, Part IV, F.S., Florida Water Resources Act of 1972, which requires that activities on surface waters or wetlands avoid adversely affecting: public health, safety, welfare, or property; conservation of fish and wildlife, including endangered or threatened species or their habitats; navigation or the flow of water; the fishing or recreational values or marine productivity; and significant historical and archaeological resources.
10. Chapter 380, Part I, F.S., Florida Environmental Land and Water Management Act of 1972 as it pertains to regulation of developments and implementation of land and water management policies.
11. Chapter 381, F.S., Public Health, as it pertains to regulation of onsite wastewater systems.
12. Chapter 403, Part I, F.S., Florida Air and Water Pollution Control which requires protection of all waters of the state.
13. Chapter 582, F.S., Soil and Water Conservation Act which requires conformance with Water Management District's regulations governing the use of land and water resources.
14. Governor's Executive Order 95-359, which requires State Clearinghouse review of project planning documentation and intergovernmental coordination.

I, the undersigned Authorized Representative of the Applicant, hereby certify that all information contained herein and in the attached is true, correct, and complete to the best of my knowledge and belief. I further certify that I have been duly authorized to file the application and to provide these assurances.

Signed this 20th Day of September, 20 16
Authorized Representative  Eugene Fultz, Mayor
(signature) (name typed or printed)

Attachments

LIST OF ATTACHMENTS

[illegible]

ATTACHMENT #1

The City of Lake Wales (City) is proposing to expand the City's sanitary sewer service approximately 4.5 miles westerly from Henry Street to the Lake Wales Municipal Airport down South Airport Road to SR 60 West then to the limits of the City's service boundary. This utility expansion is to accommodate potential future development and existing customers along the SR 60 W corridor.

ATTACHMENT #2

CITY OF LAKE WALES UTILITY SYSTEM DEBT ISSUES

Debt Issue	Purpose
State Revolving Fund Loan - 5907P	Construction of Reclaimed Water Reuse Facilities
State Revolving Fund Loan - 59110	Construction of Reclaimed Water Reuse Facilities
State Revolving Fund Loan - 5912S	Construction of Sludge Dewatering Facilities
State Revolving Fund Loan - 5913P	Planning and Design of Wastewater Treatment Plant Expansion
State Revolving Fund Loan - 59140	Planning and Design of Wastewater Treatment Plant Rehabilitation and Expansion
State Revolving Fund Loan - 53030	Major Sewer Rehabilitation/Replacement C Street Phase 1
State Revolving Fund Loan - 530310	Major Sewer Rehabilitation/Replacement C Street Phase 2
Capital Improvement Revenue Note, Series 2003	Advanced Refund of Capital Improvements Bond for Infrastructure Improvements
Utility System Revenue Note, Series 2005	Construction of chlorine contact chamber and reuse facilities
Utility System Refunding Note, Series 2006A	Refund of outstanding 1996 Utility System Improvement Refunding Revenue Bonds
Utility System Revenue Note, Series 2006B	Construction of water and wastewater system improvements

ATTACHMENT #3

SCHEDULE OF PRIOR AND PARITY LIENS

List annual debt service beginning two years before the anticipated loan agreement date and continue at least fifteen fiscal years. Use additional pages as necessary.

# 1SRF - 5907P				# 2SRF - 59110			# 3SRF - 5912S		
Coverage %		115%	Coverage %		115%	Coverage %		115%	
Insured (Yes/No)		No	Insured (Yes/No)		No	Insured (Yes/No)		No	
# 4SRF - 5913P				# 5SRF - 95140			# 6SRF - 53030		
Coverage %		115%	Coverage %		115%	Coverage %		115%	
Insured (Yes/No)		No	Insured (Yes/No)		No	Insured (Yes/No)		No	
Fiscal Year	Annual Debt Service (Principal + Interest)						Total Non-SRF Debt Service w/ coverage	Total SRF Debt Service w/coverage	
	#1	#2	#3	#4	#5	#6			
12013 ' 14	104,174	50,907	87,147	61,746	16,542	172,345		Continued	
22014 ' 15	104,174	50,907	87,147	61,746	23,542	255,170		Continued	
32015 ' 16	104,174	50,907	87,147	61,746	23,542	255,170		Continued	
42016 ' 17	104,174	50,907	87,147	61,746	23,542	255,170		Continued	
52017 ' 18	104,174	50,907	87,147	61,746	23,542	255,170		Continued	
62018 ' 19	52,087	50,907	87,147	61,746	23,542	255,170		Continued	
72019 ' 20		50,907	87,147	61,746	23,542	255,170		Continued	
82020 ' 21		50,907	87,147	61,746	23,542	255,170		Continued	
92021 ' 22		50,907	87,147	61,746	23,542	255,170		Continued	
102022 ' 23			87,147	61,746	23,542	255,170		Continued	
112023 ' 24			43,574	61,746	23,542	255,170		Continued	
122024 ' 25				61,746	23,542	255,170		Continued	
132025 ' 26				61,746	23,542	255,170		Continued	
142026 ' 27				61,746	23,542	255,170		Continued	
152027 ' 28				30,873	23,542	255,170		Continued	
162028 ' 29					23,542	255,170		Continued	
172029 ' 30					23,542	255,170		Continued	
182030 ' 31					23,542	255,170		Continued	
192031 ' 32					5,474	98,618		Continued	
202032 ' 33								Continued	
212033 ' 34								Continued	
222034 ' 35								Continued	
232035 ' 36								Continued	
242036 ' 37								Continued	
252037 ' 38								Continued	

SCHEDULE OF PRIOR AND PARITY LIENS

List annual debt service beginning two years before the anticipated loan agreement date and continue at least fifteen fiscal years. Use additional pages as necessary.

# 7			SRF - 530310			# 8			# 9		
Coverage %			115%			Coverage %			115%		
Insured (Yes/No)			No			Insured (Yes/No)			No		
# 10						# 11			# 12		
Coverage %			115%			Coverage %			115%		
Insured (Yes/No)			No			Insured (Yes/No)			No		
Fiscal Year		Annual Debt Service (Principal + Interest)						Total Non-SRF Debt Service w/ coverage		Total SRF Debt Service w/coverage	
		#7	#8	#9	#10	#11	#12				
1	2013 ' 14									566,790	
2	2014 ' 15									670,089	
3	2015 ' 16									670,089	
4	2016 ' 17	357,612								1,081,343	
5	2017 ' 18	357,612								1,081,343	
6	2018 ' 19	357,612								1,021,443	
7	2019 ' 20	357,612								961,543	
8	2020 ' 21	357,612								961,543	
9	2021 ' 22	357,612								961,543	
10	2022 ' 23	357,612								903,000	
11	2023 ' 24	357,612								852,891	
12	2024 ' 25	357,612								802,781	
13	2025 ' 26	357,612								802,781	
14	2026 ' 27	357,612								802,781	
15	2027 ' 28	357,612								767,277	
16	2028 ' 29	357,612								731,773	
17	2029 ' 30	357,612								731,773	
18	2030 ' 31	357,612								731,773	
19	2031 ' 32	357,612								530,960	
20	2032 ' 33	357,612								411,254	
21	2033 ' 34	357,612								411,254	
22	2034 ' 35	357,612								411,254	
23	2035 ' 36	357,612								411,254	
24	2036 ' 37									-	
25	2037 ' 38									-	

SCHEDULE OF PRIOR AND PARITY LIENS

List annual debt service beginning two years before the anticipated loan agreement date and continue at least fifteen fiscal years. Use additional pages as necessary.

# 1 Series 2003 Coverage %		
--	--	--

ATTACHMENT #4

SCHEDULE OF ACTUAL REVENUES AND DEBT COVERAGE FOR PLEDGED REVENUE

(Provide information for the two fiscal year proceeding the anticipated date of the SRF loan agreement)

	FY 2013'14	FY 2014'15
(a) Operating Revenues (Identify)		
Charges for Services	6,649,026	6,999,861
Tower Leases	183,572	200,744
(b) Interest Income	7,496	6,783
(c) Other Incomes and Revenues (Identify)		
Impact Fees	345,328	307,801
Misc. Revenue	5,600	(4,189)
(d) Total Revenues	7,191,022	7,511,000
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	4,778,811	4,748,611
(f) Net Revenues (f = d - e)	2,412,211	2,762,389
(g) Debt Service (including coverage) Excluding SRF Loans	1,272,833	1,194,068
(h) Debt Service (including coverage) for Outstanding SRF Loans	566,790	670,089
(i) Net Revenues After Debt Service (i = f - g - h)	572,588	898,233

Source:

Notes:

Effective October 1, 2015, the City increase utility rates by 14.5% for both water and sewer services.

SCHEDULE OF PROJECTED REVENUES AND DEBT COVERAGE FOR PLEDGED REVENUE

(Provide information for the two fiscal year proceeding the anticipated date of the SRF loan agreement)

	FY 2015'16	FY 2016'17	FY 2017'18	FY 2018'19	FY 2019'20
(a) Operating Revenues (Identify)					
Charges for Services	7,540,000	7,690,800	7,844,616	7,962,285	8,081,720
Tower Leases	185,000	200,000	200,000	200,000	200,000
(b) Interest Income	6,480	21,500	21,500	21,500	21,500
(c) Other Incomes and Revenues (Identify)					
Impact Fees	175,000	250,000	250,000	250,000	250,000
Misc. Revenue	1,000	5,000	5,000	5,000	5,000
(d) Total Revenues	7,907,480	8,167,300	8,321,116	8,438,785	8,558,220
(e) Operating Expenses 1	4,998,588	5,098,560	5,200,531	5,304,542	5,410,632
(f) Net Revenues (f = d - e)	2,908,892	3,068,740	3,120,585	3,134,244	3,147,587
(g) Existing Debt Service on Non-SRF Projects (including coverage)	1,207,605	1,065,331	181,512	181,501	181,490
(h) Existing SRF Loan Debt Service (including coverage)	670,089	1,081,343	1,081,343	1,021,443	961,543
(i) Total Existing Debt Service Service (i = g + h)	1,877,694	2,146,674	1,262,855	1,202,944	1,143,033
(j) Projected Debt Service on Non-SRF Future Projects (including Coverage)					
(k) Projected SRF Loan Debt Service (including coverage)	-	-	423,460	423,460	423,460
(l) Total Debt Service (Existing and Projected) (l = i + j + k)	1,877,694	2,146,674	1,686,315	1,626,404	1,566,493
(m) Net Revenues After Debt Service (m = f - l)	1,031,198	922,067	1,434,270	1,507,840	1,581,095

Source:

Notes: (i.e. rate increases, explanations, etc.)

1. For existing and proposed facilities, excluding interest on debt, depreciation, and other non-cash items.
2. For the Wate and Sewer Hwy 60 Expantion Project.
3. The City's utility rate structure has an annual automatic increase based on June's annual CIP or two and one half (2.5) percent, whichever is greater. Effective Oct. 1, 2015, the City implimented 14.5% rate increase.

ATTACHMENT #5

LAW OFFICES

ALBERT C. GALLOWAY, JR., P.A.

POST OFFICE BOX 3339
202 EAST STUART AVENUE
LAKE WALES, FL 33859-3339
TELEPHONE 863/679-5333
FAX 863/679-5332
CHUCK@ACGPA.NET

August 16, 2016

Tommy Williams
Sr. Management Analyst
Division of Water Restoration Assistance
3900 Commonwealth Boulevard MS3505
Tallahassee, FL 32399-3000

Re: WW530330-City of Lake Wales
SR 60 Utility Expansion

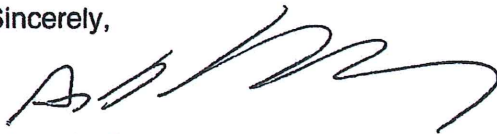
Dear Mr. Williams:

I am the duly appointed City Attorney for the City of Lake Wales. The City proposes to borrow \$3,625,519.45 from the State Revolving Fund for sewer collection systems for the State Road 60 Western Expansion. The loan will be secured by the net revenues of the City's water and sewer system and the pledged revenues are legally available to pledge. The City of Lake Wales has the legal authority to increase rates to ensure repayment of the loan.

The pledge on revenues is subject to a prior lien with the following issues:

- (1) SRF-5907P
- (2) SRF-59110
- (3) SRF-5912S
- (4) SRF-5913P
- (5) SRF-95140
- (6) SRF-53030
- (7) SRF-530310
- (8) Series 2003
- (9) Series 2005
- (10) Series 2006A
- (11) Series 2006B

Sincerely,



Albert C. Galloway, Jr.
City Attorney

ACG/rg

Attachment # 6

RESOLUTION 2016-20

“A RESOLUTION OF CITY OF *LAKE WALES*, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.”

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of wastewater treatment 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 designates **Project No. WW530330** as eligible for available funding; and

WHEREAS; the City of LAKE WALES, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WALES, FLORIDA, AS FOLLOWS:

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

SECTION II. The City of Lake Wales, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are net water and sewer system revenues after payment of debt service on the Utility System Refunding Revenue Note, Series 2006 A, Utility System Note, Series 2006B, and other obligations as shown on Exhibit “A”.

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

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 its terms when signed by both parties. The Mayor is authorized to represent the City in carrying out the City’s responsibilities under the loan agreement. The Mayor is authorized to delegate responsibility to appropriate City 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 passage and adoption.

PASSED and ADOPTED this _____ Day of September 2016.

ATTEST

APPROVED AS TO FORM AND
LEGALITY

City Clerk-Clara VanBlargan, MMC

City Attorney-Albert C Galloway, Jr

Mayor-Eugene Fultz

**CITY OF LAKE WALES,
FLORIDA RESOLUTION
2016-20
EXHIBIT "A"**

UTILITY SYSTEM DEBT ISSUES

Debt Issue	Purpose
State Revolving Fund Loan - 5907P	Construction of Reclaimed Water Reuse Facilities
State Revolving Fund Loan - 59110	Construction of Reclaimed Water Reuse Facilities
State Revolving Fund Loan - 5912S	Construction of Sludge Dewatering Facilities
State Revolving Fund Loan - 5913P	Planning and Design of Wastewater Treatment Plant Expansion
State Revolving Fund Loan - 59140	Planning and Design of Wastewater Treatment Plant Rehabilitation and Expansion
State Revolving Fund Loan - 53030	Major Sewer Rehabilitation/Replacement C Street Phase 1
State Revolving Fund Loan - 530310	Major Sewer Rehabilitation/Replacement C Street Phase 2
Capital Improvement Revenue Note, Series 2003	Advanced Refund of Capital Improvements Bond for Infrastructure Improvements
Utility System Revenue Note, Series 2005	Construction of chlorine contact chamber and reuse facilities
Utility System Refunding Note, Series 2006A	Refund of outstanding 1996 Utility System Improvement Refunding Revenue Bonds
Utility System Revenue Note, Series 2006B	Construction of water and wastewater system improvements