

JUL 21 1986

Resolution No. 86-B-09

ALLOCATION RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, ASSIGNING ITS 1986 ALLOCATION WITH RESPECT TO REVENUE BONDS FOR §501(C)(3) ORGANIZATIONS TO THE ORANGE COUNTY HEALTH FACILITIES AUTHORITY.

Premises

1. The Orange County Health Facilities Authority (the "Authority") is a public body corporate and politic created and existing under the Health Facilities Authorities Law (Chapter 154, Part III, Florida Statutes) (the "Act") to issue bonds for the purpose of financing health facilities (as defined therein).

2. On June 27, 1985, the Authority adopted a Resolution (the "Bond Resolution") authorizing the issuance of its Hospital Revenue Bonds, Series 1985 B (Orlando General Hospital Project) (the "Series 1985 B Bonds").

3. The Circuit Court of the Ninth Judicial Circuit of Florida in and for Orange County, Florida has, in appropriate proceedings, validated such Bonds by judgment rendered on July 31, 1985.

4. The tax reform bill currently before Congress, H.R. 3838 (the "Bill"), proposes to revise the private activity bond cap currently set forth in Section 103(n) of the Internal Revenue Code of 1954, as amended as of December 31, 1985 (the "Code") by enacting Section 145 of the Internal Revenue Code of 1985 (the "proposed code").

5. The cap is expanded by the Bill to include virtually all "nonessential function" bonds as well as certain "essential function" bonds. Bonds issued to finance §501(c)(3) organizations or which otherwise benefit §501(c)(3) organizations are considered "nonessential function" bonds. Although interest on "nonessential" bonds is generally not tax exempt, there is a specific exemption for qualified hospital bonds.

6. The financing on behalf of Orlando General Hospital is a qualified hospital bond under the Bill.

7. The Bill sets aside \$25 per capita per year for financings for the benefit of §501(c)(3) organizations.

8. The volume cap for any local issuing authority for any calendar year is an amount which bears the same ratio to 50% of the state ceiling as the population of the jurisdiction of such issuing authority bears to population of the entire state.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA.

Section 1. To ensure the tax-exempt status of the revenue bonds of the Authority in light of H.R. 3838 currently being considered by Congress, the Board of County Commissioners hereby allocates all of the "501(c)(3) set aside" from its 1986 volume cap under H.R. 3838 to the Authority for the issuance of the Series 1985 B Bonds or other qualifying bonds issued by the Authority.

Section 2. The Board of County Commissioners hereby covenants not to revoke this assignment of 1986 allocation.

Section 3. This resolution shall take effect immediately upon its adoption.

ADOPTED THIS 21st day of July, 1986.

By: Tom Herman
Chairman, Board of
County Commissioners

Attest:

Thomas H. Locker
Orange County Comptroller
and Clerk to the Board of
County Commissioners

By: Mary Jo Garrison
Deputy Clerk

SEAL