



APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS

October 30, 2014

NOV 18 2014 KTH/BS

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Stephanie Taub, Assistant Manager, Fiscal and Business Services *ST*

CONTACT PERSON: **Stephanie Taub, Assistant Manager, Fiscal and Business Services**

PHONE NUMBER: **(407) 836-5442**

SUBJECT: Approval of a Resolution of the Orange County Board of County Commissioners regarding the County's official intent to reimburse itself from the proceeds of a tax-exempt or other tax-advantaged obligations for certain capital expenditures to be made by the County with respect to the financing of certain vehicles and equipment for the Fire Rescue Department; authorizing certain incidental actions; and providing for an effective date.

Under the United States Tax Code, in order to reimburse certain expenditures with the proceeds of tax-exempt debt, the issuer must declare the intent to seek such reimbursement in advance. This resolution is the standard format to declare the intent to reimburse fire rescue department expenditures in the future.

The implication of that action is that we have the future flexibility to reimburse such sales tax expenditures with bonds. It does not require us to issue bonds, and any future use of the reimbursement option would be approved by the Board of County Commissioners as part of the authorization of the debt issuance used to fund the reimbursement. It is prudent to take this preliminary step to ensure that all options are available to the Board of County Commissioners in the future.

ACTION REQUESTED:

Approval of Resolution of the Orange County Board of County Commissioners regarding the County's official intent to reimburse itself from the proceeds of a tax-exempt or other tax-advantaged obligations for certain capital expenditures to be made by the County with respect to the financing of certain vehicles and equipment for the Fire Rescue Department; authorizing certain incidental actions; and providing for an effective date.

CC: Eric Gassman, Chief Accountability Officer
Fred Winterkamp, Manager, Fiscal & Business Services
Lila McHenry, County Attorney's Office
David Moore, Financial Advisor, Public Financial Management

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
NOV 18 2014 KH/BS

RESOLUTION

of the
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
regarding
**THE COUNTY'S OFFICIAL INTENT TO REIMBURSE ITSELF
FROM THE PROCEEDS OF A TAX-EXEMPT OR OTHER
TAX-ADVANTAGED OBLIGATIONS FOR CERTAIN
CAPITAL EXPENDITURES TO BE MADE BY THE COUNTY
WITH RESPECT TO THE FINANCING OF CERTAIN
VEHICLES AND EQUIPMENT FOR THE FIRE RESCUE
DEPARTMENT; AUTHORIZING CERTAIN INCIDENTAL
ACTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

RESOLUTION NO. 2014-M-69

WHEREAS, in connection with vehicle and equipment purchases to be made by the Orange County Fire Rescue Department more particularly described on Exhibit A attached hereto (the "Project"), Orange County, Florida (the "County") expects to incur costs for which the County will advance fire rescue department revenue and sales tax revenue; and

WHEREAS, the County intends to reimburse itself for all or a portion of such costs of the Project from the proceeds of tax-exempt or other tax-advantaged notes or other obligations (herein referred to as "Obligations") to be incurred by the County; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code") and applicable United States Treasury Regulations (the "Treasury Regulations") require the County to declare its official intent in connection with such expenditures prior to incurring the Obligations in order to allow the County to be reimbursed for such expenditures from a portion of the proceeds of the Obligations; and

WHEREAS, it is intended by the County that this Resolution constitute a declaration of official intent with respect to the reimbursement, from proceeds of the Obligations, of those certain capital expenditures incurred or to be incurred by the County for the Project prior to the issuance of the Obligations; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA AS FOLLOWS:

Section 1. Authority. This Resolution is adopted pursuant to the provisions of the Constitution of the State of Florida, Chapter 125, Florida Statutes, the Charter of the County and other applicable provisions of law.

Section 2. Declaration of Official Intent. The County hereby declares its official intent to reimburse itself from the proceeds of the Obligations expected to be issued by the County for expenditures incurred with respect to the Project within 60 days prior to the date of this Resolution and to be incurred subsequent to the date of this Resolution, subject to Treasury Regulation § 1.150-2. This Resolution is intended as a declaration of official intent under Treasury Regulation § 1.150-2. The Obligations to be issued to finance the Project are not expected to exceed a maximum aggregate principal amount of six million five hundred thousand dollars (\$6,500,000.00).

Section 3. Reimbursement Period. The allocation of proceeds of the Obligations to a reimbursement expenditure must be made not later than eighteen (18) months after the later of: (i) the date the original expenditure is paid, or (ii) the date the project to which the expenditure relates is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid.

Section 4. Incidental Action. The appropriate officials and staff of the County are hereby authorized to take such actions as may be necessary to carry out the purpose of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED this ____ day of NOV 18 2014, 2014.



ORANGE COUNTY, FLORIDA
BY: Board of County Commissioners

By: Teresa Jacobs
Teresa Jacobs
County Mayor
TJ

ATTEST:

Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners

By: Craig A. Storzera
for Deputy Clerk

EXHIBIT A
DESCRIPTION OF THE PROJECT

The Project will include the purchase of various vehicles and equipment for the Orange County Fire Rescue Department, including, but not limited to, transport rescue vehicles, engine pumpers, squad vehicles, and aerial platform vehicles.