

RESOLUTION 08-266

A RESOLUTION OF THE CITY OF PARKER, FLORIDA AUTHORIZING BAY COUNTY, AS OPERATOR OF THE MILITARY POINT ADVANCED WASTEWATER TREATMENT FACILITY TO PURSUE A LETTER OF CREDIT TO STAND FOR THE BOND RESERVE REQUIRED UNDER THE WASTEWATER SYSTEM REVENUE REFUNDING BOND SERIES 2004; RECITING AN IMMEDIATELY EFFECTIVE DATE AND REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, the City of Parker, Florida, is one of the owners of the Military Point Advanced Wastewater Treatment Facility (the "AWT"); and

WHEREAS, the management and ownership of the AWT is governed by the Military Point Advanced Wastewater Treatment Facility Interlocal Agreement of 1996 (the "1996 Interlocal") and under the terms of the 1996 Interlocal, Bay County serves as the Operator of the AWT; and

WHEREAS, there is outstanding debt for the AWT as reflected in the Wastewater System Revenue Refunding Bonds Series 2004 (the "Bonds"); and

WHEREAS, under the terms of the Bonds, Ambac serves as the bond insurer; and

WHEREAS, Ambac has, in recent months, been downgraded to such an extent that under the terms of the Bond, additional reserve funding is required; and

WHEREAS, the additional bond reserve required as a result of Ambac's downgrade may be funded with a letter of credit; and

WHEREAS, the County has presented a memo to each of the owners of the AWT requesting a vote on the funding method for the additional bond reserve requirement, a copy of the memo is attached hereto as Exhibit "A"; and

WHEREAS, under the terms of the 1996 Interlocal, a vote of the owners is required to authorize the County as Operator to pursue to letter of credit to stand for the additional bond reserve.

NOW, THEREFORE, BE IT RESOLVED by the City of Parker, Florida, that:

1. The City of Parker hereby votes to authorize Bay County as Operator to pursue a letter of credit to stand for the additional bond reserve required as a result of Ambac's downgrade.

2. The City of Parker agrees to pay its pro rata share of the cost associated with the letter of credit based on its percentage of the 2004 bonds.

REPEALER. This resolution repeals any prior resolutions in conflict herewith.

EFFECTIVE DATE. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED in regular session this 16 day of December, 2008.

CITY OF PARKER, FLORIDA


Brenda G. Hendricks, Mayor

ATTEST:


Adonna Mullen, City Clerk