

APPROVED BY THE BOARD OF COUNTY  
COMMISSIONERS AT THEIR MEETING  
SEP 01 1992

CA/C #5

RESOLUTION NO. 92-M-45

A RESOLUTION AMENDING RESOLUTION NO. 92-M-11  
ENTITLED:

"A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA SUPPLEMENTING RESOLUTION NO. 91-M-04 DULY ADOPTED ON FEBRUARY 26, 1991, PROVIDING FOR THE ISSUANCE OF THE COUNTY'S COMMERCIAL PAPER NOTES TO FINANCE THE COST OF CAPITAL PROJECTS; PROVIDING FOR THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CAPITAL PROJECTS CONSISTING OF CERTAIN CRIMINAL JUSTICE FACILITIES AND EMERGENCY TELECOMMUNICATION EQUIPMENT AND FACILITIES; AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$8,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF ORANGE COUNTY COMMERCIAL PAPER NOTES SERIES A TO PAY PART OF THE COSTS OF SUCH PROJECTS; PROVIDING FOR THE USE OF THE PROCEEDS OF SAID NOTES; PROVIDING FOR SAID NOTES TO BE PAYABLE AND SECURED IN THE MANNER SET FORTH IN THE AUTHORIZING RESOLUTION; ESTABLISHING CERTAIN OTHER TERMS AND DETAILS OF SAID NOTES; AUTHORIZING THE NEGOTIATED SALE OF SAID NOTES; AUTHORIZING THE EXECUTION OF DOCUMENTS AND CERTIFICATES IN CONNECTION WITH THE ISSUANCE OF SAID NOTES; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE."

IN CERTAIN RESPECTS TO PROVIDE FOR THE USE OF THE PROCEEDS OF ORANGE COUNTY COMMERCIAL PAPER NOTES SERIES A THEREIN AUTHORIZED FOR ADDITIONAL CAPITAL PROJECTS OF THE COUNTY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS IN AND FOR ORANGE COUNTY, FLORIDA, THAT:

ARTICLE I

GENERAL PROVISIONS

SECTION 1.01. AUTHORITY FOR THIS RESOLUTION. This Amending Resolution is adopted pursuant to Section 8.02 and other provisions of Resolution No. 91-M-04 of the Board of County Commissioners (the "Board") of Orange County, Florida (the

"County") on February 26, 1991; the Constitution of the State of Florida, Chapter 125, Part I, Florida Statutes; and other applicable provisions of law (collectively, the "Act").

SECTION 1.02. FINDINGS. It is hereby ascertained, determined, and declared as follows:

A. The County is duly created and existing as a political subdivision of the State of Florida and is duly empowered under the Act to undertake the Series A Project No. 2 herein authorized.

B. Resolution No. 91-M-04 of the Board was duly adopted on February 26, 1991 (the "Authorizing Resolution"), authorized the establishment of the County's Commercial Paper Program to finance the cost of various capital projects on an interim basis through the issuance from time to time of the County's Commercial Paper Notes.

C. The County has previously authorized and issued certain Commercial Paper Notes Series A (the "Series A Notes") of the County pursuant to Resolution No. 92-M-11 of the County adopted March 17, 1992 (the "Supplemental Resolution.")

D. Pursuant to the Supplemental Resolution, the proceeds of the Series A Notes were to be used to finance all or a portion of the Cost of Series A Project No. 2, which consisted of certain criminal justice facilities described on Exhibit A attached to the Supplemental Resolution.

E. The County has since determined that the proceeds of the Series A Notes are not immediately needed for certain of the facilities described on Exhibit A to the Supplemental Resolution and that such proceeds would be of greater benefit to the County if such proceeds were applied to additional capital projects authorized to be undertaken by the County.

F. The Board hereby deems it necessary and desirable and will serve a valid public purpose for the County to modify the description of the Series A Project No. 2 included in the Supplemental Resolution by amending the Supplemental Resolution as provided herein.

G. The Canadian Imperial Bank of Commerce has, or will have prior to the disbursement of any funds for the capital projects added to the Series A Project No. 2 by the amendments herein, consented to the amendments herein made as required by the Authorizing Resolution, a copy of which consent shall be filed with the Clerk to the Board.

SECTION 1.03. DEFINITIONS. Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to so terms in the Authorizing Resolution, unless the context requires otherwise.

ARTICLE II

AMENDING PROVISIONS

SECTION 2.01. AMENDMENTS TO SUPPLEMENTAL RESOLUTION. The Supplemental Resolution is hereby amended as follows:

(a) The definition of "Series A Project No. 2" included in Section 1.03 of the Supplemental Resolution is hereby amended to read as follows:

"'Series A Project No. 2' shall mean those capital improvements, including those improvements as set forth and described on Exhibit "A" attached hereto and by this referenced incorporated herein."

(b) Exhibit "A" to the Supplemental Resolution is hereby amended to read as set forth on Exhibit A attached hereto.

SECTION 2.02 REMAINING PROVISIONS UNAFFECTED. Except as amended herein, the provisions of the Supplemental Resolution shall remain in full force and effect.

ARTICLE III

MISCELLANEOUS PROVISIONS

SECTION 3.01. FURTHER ACTIONS. The Chairman, the Comptroller, the County Administrator, the County Attorney, and any other appropriate officials of the County are hereby authorized and directed to execute any and all certifications or other instruments or documents required by the Authorizing Resolution, the Supplemental Resolution, the Dealer Agreement, the Line of Credit and Reimbursement Agreement, the Issuing and Paying Agent Agreement or any other document referred to in the Authorizing Resolution, necessary or convenient to effect the purposes of this Amending Resolution, including any supplemental tax certifications necessary.

SECTION 3.02. ACTIONS. Any action to be taken by the Chairman hereunder, in the absence of the Chairman, may be taken by the Vice Chairman. Any action to be taken by the Comptroller in the absence of the Comptroller, may be taken by a Deputy Comptroller. Any action to be taken by the County Administrator hereunder, in the absence of the County Administrator, may be taken by an Assistant County Administrator. Any action to be taken by the County Attorney may be taken by an Assistant County Attorney.

SECTION 3.03. SEVERABILITY OF INVALID PROVISIONS. If any one or more of the provisions of this Amending Resolution should be held to be contrary to any express provision of law or

to be contrary to the policy of express law, though not expressly prohibited, or to be against public policy, or should for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be "deemed separate from the remaining provisions of, and in no way affect the validity of, all the other provisions of this Amending Resolution.

SECTION 3.04. REPEALING CLAUSE. All resolutions of the County, or parts thereof, in conflict with the provisions of this Amending Resolution are to the extent of such conflict hereby superseded and repealed.

SECTION 3.05. EFFECTIVE DATE. This Amending Resolution shall take effect upon its adoption.

PASSED AND ADOPTED ON THIS 1<sup>st</sup> <sup>September</sup> DAY OF ~~AUGUST~~, 1992.

BOARD OF COUNTY COMMISSIONERS  
ORANGE COUNTY, FLORIDA

[SEAL]

By: Mable Butler  
Chairman, Board of  
County Commissioners

ATTEST:

Mary J. Garrison *Dep. Clerk*  
Comptroller/Clerk to the  
Board of County Commissioners

EXHIBIT A

SERIES A PROJECT NO. 2

The Series A Project No. 2 consists of the following:

1. Intake and Release Facility, consisting of costs associated with the design of a 152,000 square foot facility that would house the intake release function, visitation and other related operational functions.
2. 800 MHZ Radio and Communications Network Systems, consisting of implementing a new 800 MHZ radio communications network for fire, emergency and sheriff needs, and also consisting of incorporating radio frequency technology in voice and data communication throughout the Orange County telecommunications network.
3. Corrections telecommunications, consisting of providing telephone, data and video systems to the new correctional facilities buildings.
4. IBM Computer System Environment Upgrade, consisting of upgrading and expanding the current IBM central processing unit and disk storage capability.

August 20, 1992