

APPROVED BY THE ORANGE
COUNTY LIBRARY DISTRICT
GOVERNING BOARD ON

AUG 04 1998

RB/BS

RESOLUTION

of the

ORANGE COUNTY LIBRARY DISTRICT GOVERNING BOARD

regarding

REIMBURSEMENTS FOR NOTE OR BOND PROCEEDS

Resolution No. 98-M-27

**BE IT RESOLVED BY THE GOVERNING BOARD OF THE ORANGE COUNTY
LIBRARY DISTRICT:**

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This resolution is adopted pursuant to Chs. 80-555, 81-450 and 91-372, Laws of Florida, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby found, ascertained and determined that:

A. United States Treasury Regulations prescribe conditions under which proceeds of bonds, notes or other obligations used to reimburse advances made for certain expenditures paid before the issuance of such obligations will be deemed to be expended (or properly allocated to expenditures) for purposes of Sections 103 and 141-150 of the Internal Revenue Code of 1986, so that upon such reimbursement the proceeds so used will not further be subject to requirements or restrictions under those sections of the Internal Revenue Code; and

B. Certain provisions of those Regulations require that there be a Declaration of Official Intent not later than 60 days following payment of the expenditure expected to be reimbursed from proceeds of such obligations, and that the reimbursement occur within prescribed time periods after the expenditure is paid or after the property is placed in service; and

C. The Orange County Library District (the "District"), from time to time finances capital improvements for which it may be necessary to advance funds for such capital improvements in

anticipation of the permanent financing thereof, and the District wishes to take steps for compliance with the Regulations.

SECTION 3. DEFINITIONS. In addition to the definitions stated in the findings, the following definitions apply to the terms used herein:

"Authorized Officer" means the Director of the District and any person with authority at the time to exercise functions of that office, or to make or authorize the expenditure to be advanced, or such person's designee.

"Board" means the Governing Board of the District.

"Bonds" means and includes bonds, notes, certificates and other obligations included in the meaning of "bonds" under Section 150 of the Internal Revenue Code of 1986.

"Declaration of Official Intent" means a declaration of intent (in the form and manner and time contemplated in the Reimbursement Regulations) that the advances for expenditures referred to therein are reasonably expected to be reimbursed from the proceeds of Reimbursement Bonds to be issued after those expenditures are paid.

"Reimbursement" or "reimburse" means the restoration to the District (with proceeds of Reimbursement Bonds) of money temporarily advanced from its other funds and spent for capital expenditures (and certain other types of expenditures qualifying under the Reimbursement Regulations, including any issuance costs for Reimbursement Bonds) before the issuance of the Reimbursement Bonds, evidenced in writing by an allocation on the books and records of the District that shows the use of the proceeds of the Reimbursement Bonds to restore the money advanced for the original expenditure. "Reimbursement" or "reimburse" generally does not include the refunding or retiring of Bonds previously issued and sold to, or borrowings from, unrelated entities.

"Reimbursement Bonds" means Bonds the proceeds of which are to be used for reimbursement of such capital or other qualifying expenditures paid before issuance of the Bonds.

"Reimbursement Regulations" means Treasury Regulations Section 1.150-2 and any amendments thereto or superseding regulations, whether in proposed, temporary or final form, as at the time applicable, prescribing conditions under which the proceeds of Reimbursement Bonds when allocated or applied to a reimbursement will be treated as expended for all or any purposes of Sections 103 and 141 to 150 of the Internal Revenue Code.

SECTION 4. AUTHORIZATION OF DECLARATIONS OF INTENT. The Authorized Officer is authorized to prepare and sign Declarations of Official Intent with respect to capital and other expenditures to which the Reimbursement Regulations apply (and including any costs of issuance of the Reimbursement Bonds) to be made from money temporarily available and which are reasonably expected to be reimbursed (in accordance with applicable authorizations, policies

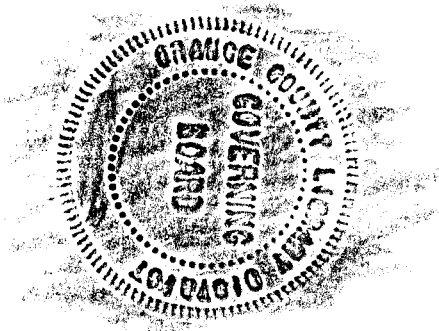
and practices) from the proceeds of Reimbursement Bonds, to make appropriate reimbursement and timely allocations from the proceeds of the Reimbursement Bonds to reimburse such prior expenditures, and to take any other actions as may be appropriate, all at the times and in the manner required under the Reimbursement Regulations to satisfy the requirements for the reimbursement to be treated as an expenditure of such proceeds for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code of 1986. No advance from any fund or account or order for payment may be made for expenditures (other than expenditures excepted from such requirement under the Reimbursement Regulations) that are to be reimbursed subsequently from proceeds of Reimbursement Bonds unless a Declaration of Official Intent with respect thereto is made within the time required by the Reimbursement Regulations, unless otherwise permitted by the Reimbursement Regulations. All Declarations of Official Intent heretofore made on behalf of the District are hereby ratified and adopted.

SECTION 5. OPEN MEETING. The Board finds and determines that all formal actions of the Board concerning and relating to the adoption of this Resolution were taken in an open meeting of the Board and that all deliberations of the Board and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6. CHARTER COMPLIANCE. This resolution shall not be deemed to require any action described in the authorizing legislation of the District, that must be authorized by ordinance of the Board; nor shall it be deemed to authorize the issuance of bonds.

SECTION 7. EFFECTIVE DATE. This resolution shall take effect immediately upon its adoption.

ADOPTED THIS 4th OF AUGUST, 1998.



ORANGE COUNTY LIBRARY DISTRICT

By: Governing Board

By: *Linda W. Chapin*

Linda W. Chapin

Chairman

Attest: Martha O. Haynie, Orange County Comptroller
as Clerk to the Governing Board

By: *Martha O. Haynie*
Deputy Clerk

EXHIBIT A

**DECLARATION OF OFFICIAL INTENT
For Reimbursement of Expenditures from Bonds/Notes/Other Obligations**

This is a Declaration of Official Intent under U.S. Treasury Regulations for purposes of Sections 103 and 141 to 150 of the Internal Revenue Code of 1986 (the Internal Revenue Code).

1. The District declares that it reasonably expects that the expenditures described in Paragraph 2. will be reimbursed with the proceeds of bonds (as defined in Section 150 of the Internal Revenue Code). The maximum principal amount of bonds expected to be issued for the project, property, program or purpose toward which the expenditures in Paragraph 2. are being made is \$ _____.

2. Description of capital expenditures to be reimbursed. (*Complete either A. or B. but do not use alternate B. unless the functional purpose of the fund or account is generally descriptive of the purpose of the expenditure.*) --:
 - A. Expenditures for (*insert a general functional description of property, project, program or purpose*):

OR

- B. Expenditures initially made from and to be reimbursed to the fund or account entitled _____, the general functional purpose of which fund or account is _____

The undersigned has been authorized by the District to make and sign this Declaration on behalf of the District.

ORANGE COUNTY LIBRARY DISTRICT

Date of Declaration:

By: _____
Director

Caution: This Declaration of Official Intent will not be effective unless the notes, bonds or other obligations providing money for the reimbursement are issued and the reimbursement is made (by an allocation on the books and records identifying the expenditure as in 2 above) with the applicable period prescribed in the Treasury Regulations.