

R-02-263

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, APPROVING THE ADDITION OF A PROJECT AND THE MODIFICATION OF AN EXISTING PROJECT WHICH MAY BE FUNDED ALL OR IN PART FROM A PLAN OF FINANCING RELATING TO THE ISSUANCE BY THE FLORIDA PORTS FINANCING COMMISSION OF ITS REVENUE BONDS (STATE TRANSPORTATION TRUST FUND - INTERMODAL PROGRAM), SERIES 1999, WITHIN THE MEANING OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1996, AS AMENDED.

WHEREAS, the Manatee County Port Authority (the "Authority"), is a public entity of the State of Florida pursuant to Chapter 67-1681 of the Laws of Florida as amended and Chapter 315 of the Florida Statutes, and

WHEREAS, the Authority has contracted to participate in a loan program in an amount not to exceed \$40,600,000 (the "Loan") to fund all or part of listed capital improvement projects at Port Manatee from the proceeds of the Florida Ports Finance Commission Revenue Bonds (State Transportation Trust Fund - Intermodal Program), Series 1999 (the "Bonds"), and the Board of County Commissioners of Manatee County, Florida (the "Board") adopted Resolution R-99-194 on August 24, 1999, approving the participation in the Loan for the funding of all or a part of said projects within the meaning of Section 147(f) of the Internal Revenue Code of 1996 as amended (the "Code"), and

WHEREAS, the Authority held a public hearing on September 19, 2002, pursuant to the provisions of Section 147(f) of the Code, hereinafter referred to as the "Public Hearing" to consider a proposal by the Authority to add a project and to modify an existing project as described in the Notice of Public Hearing therefor which may be funded all or in part by the Loan, and

WHEREAS, a copy of the proof of publication of the notice for said public hearing is attached hereto and made a part hereof, and

WHEREAS, the Authority has requested the Board to approve the Authority adding a project and modifying an existing project which may be financed all or in part by the proceeds of the Loan without increasing the maximum amount of the Loan in order to satisfy the requirements of Section 147(f) of the Code, and

WHEREAS, it is intended that this resolution shall constitute the approval of the addition of said project and the modification of an existing project in connection with the Bonds and the Loan as required by Section 147(f) of the Code.

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NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA THAT:

1. The above recitals are hereby adopted.
2. The Board acknowledges the holding by the Authority of the public hearing on September 19, 2002.
3. Within the meaning of Section 147(f) of the Code, the addition of a project and the modification of an existing project to be financed all or in part from the proceeds of the Bonds and the Loan are hereby approved.

ADOPTED with a quorum present and voting this the 1st day of October, 2002.

ATTEST: R. B. SHORE
Clerk of Circuit Court

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: Joseph L. Romie
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By: Gary Stevi
Chairman

