

FILED

FEB 28 2017

CITY CLERK

**RESOLUTION NO. 6, 2017**

**AS AMENDED**

A RESOLUTION TO AUTHORIZE A TEMPORARY, REVOLVING LOAN FROM THE TERRE HAUTE REDEVELOPMENT COMMISSION TO THE CITY OF TERRE HAUTE.

WHEREAS, the Common Council for the City of Terre Haute, Indiana is seeking the ability to pursue temporary avenues of cash flows for its General Fund pursuant to the powers granted through Indiana Code 36-1-8-4, 36-7-14-2.5 and 36-7-14-8 (collectively, the "Authorizing Statutes");

WHEREAS, the Common Council is specifically seeking the ability to utilize temporary loans from funds held by the Terre Haute Redevelopment Commission that carry sufficient balances to support the City of Terre Haute General Fund;

WHEREAS, the ability to pursue said temporary loans will enable adequate cash flow requirements and avoid, or reduce entirely, the cost of borrowing funds from other sources; and

WHEREAS, the Common Council, in conjunction with the Terre Haute Redevelopment Commission, has determined that sufficient funds held by the Terre Haute Redevelopment Commission exist to facilitate a temporary loan to the City of Terre Haute, Indiana in FY 2017; and

WHEREAS, in accordance with the Authorizing Statutes, this resolution and the companion resolution to be adopted by the Terre Haute Redevelopment Commission sets forth the maximum amount of funds of the Terre Haute Redevelopment Commission which may be loaned to the City to support the General Fund and the expiration date of such loan;

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Terre Haute, Indiana that:

- a) Within 30 days of passage of this resolution, the City of Terre Haute shall deposit all funds of the Terre Haute Redevelopment Commission into one or more separate (structured as directed by the Terre Haute Redevelopment Commission to comply with bonding requirements of the Terre Haute Redevelopment Commission) bank accounts (separate and apart from all other funds of the City of Terre Haute) at an institution of the choosing of the Mayor of the City of Terre Haute qualified to receive and hold deposits of the City (the "Depository Accounts").
- b) The Terre Haute Redevelopment Commission is authorized to receive account statements regarding the Depository Accounts, and make inquiries of the institution holding the Depository Accounts from time to time as the Terre Haute Redevelopment Commission may see fit regarding the balance(s) in the Depository Accounts and all activity in the Depository Accounts; and


c) The following temporary, revolving loan from funds of the Terre Haute Redevelopment Commission is to be made with the following parameters, effective upon passage of a reciprocal resolution by the Terre Haute Redevelopment Commission, and said loan will be repaid, in full, with future tax draws and/or other revenues no later than August 01, 2017, with the status of said loan to be reported by the City Administration to the Common Council during governmental reports at its regularly scheduled meetings and to the Terre Haute Redevelopment Commission during its regularly scheduled meetings. Additionally, upon written request by a member of the Common Council or the Terre Haute Redevelopment Commission, the City Controller shall, within seventy two (72) business hours, provide up-to-date documentation stating the total amount(s) loaned as well as detailed statements of all cash balances of any Redevelopment account affected by this loan directly from the financial institution where said funds are held in electronic or hard copy. Failure to provide timely information pursuant to the previous provision shall be cause for the immediate termination of this agreement and shall accelerate the repayment of any outstanding debts pursuant to this resolution within thirty (30) days of said default:

Maximum Loan Amount: \$5,000,000.00

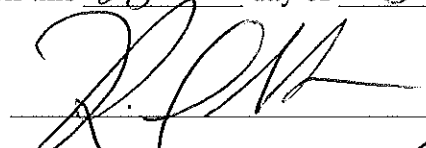
Maximum Interest Rate: 0.00%

Loaned From: Terre Haute Redevelopment Commission (\$4.5 million from account 0471 Central Business District TIF and \$.5 million from account 410 Redevelopment ST RD 46 TIF #10)

Loaned To: City of Terre Haute General Fund

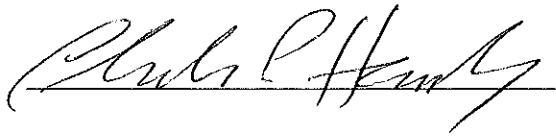
Introduced by:  George Azar, Councilman

Passed in open Council this 28<sup>th</sup> day of February, 2017.

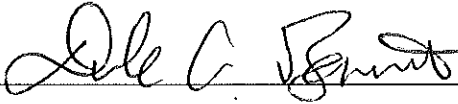
 Karrum Nasser, President

ATTEST:  Charles P. Hanley, City Clerk

Presented by me to the Mayor this 28<sup>th</sup> day of February, 2017.

 Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 28<sup>TH</sup> day of FEBRUARY, 2017.

 Duke A. Bennett, Mayor

ATTEST:  Charles P. Hanley, City Clerk