

FILED

JUN 07 2018

RESOLUTION NO. 7, 2018
AS AMENDED

CITY CLERK

A RESOLUTION AUTHORIZING A TEMPORARY, REVOLVING LOAN FROM THE TERRE HAUTE REDEVELOPMENT COMMISSION TO THE CITY OF TERRE HAUTE AND THE EXTENSION OF SAID LOAN INTO FY 2019 AFTER FINDING AN EMERGENCY.

WHEREAS, the Common Council for the City of Terre Haute, Indiana is seeking the ability to continue to pursue temporary avenues of cash flows for its General Fund pursuant to the powers granted through Indiana Code 36-1-8-4 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 has and will continue to enable adequate cash flow requirements and avoid, or reduce entirely, the cost of borrowing funds from other sources;

WHEREAS, previous loans made by the Redevelopment Commission and pursuant to the Authorizing Statutes shall be paid in full prior to the issuance of a new loan through this Resolution;

~~WHEREAS, the Common Council finds an emergency exists to extend the loan authorized by this Resolution into FY 2019;~~

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;

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; and

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

- a) Pursuant to Resolution 6, 2017 the City of Terre Haute has previously deposited all funds related to a temporary loan received by the Terre Haute Redevelopment Commission, and all other 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 chosen by the Mayor of the City of Terre Haute that has been and remains qualified to receive and hold deposits of the City (the

"Depository Accounts") and City shall remain bound by those terms for the duration of the new temporary loan authorized by this Resolution.

b) Except for withdrawals from account 0471 (Central Business District TIF) and account 410 (Redevelopment ST RD 46 TIF #10) in the total amounts specified below, no funds held in any of the Depository Accounts will be withdrawn from any of said Depository Accounts except on the written direction of the Terre Haute Redevelopment Commission and the Terre Haute Redevelopment Commission shall, at all times, be entitled to make inquiries of any institution holding the Depository Accounts regarding the balances in the Depository Accounts and all activity in the Depository Accounts from time to time as it may see fit.

bc) All previous loans received from the City by the Redevelopment Commission pursuant to the Authorizing Statutes shall be repaid, in full, on or before June 30, 2018.

ed) The Terre Haute Redevelopment Commission has been, and will continued to be, 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 for all loan amounts authorized by this Resolution.

de) The following temporary, revolving loan from funds of the Terre Haute Redevelopment Commission is to be established with the following parameters, effective upon passage of a reciprocal resolution by the Terre Haute Redevelopment Commission, and the term of said temporary loan will be have an initial term from July 01, 2018 to December 31, 2018 ~~with an automatic extension from December 31, 2018 to June 30, 2019~~. 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 Commission 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 the loan and shall accelerate the repayment of any outstanding debts pursuant to this resolution within thirty (30) days of said default:


Maximum Loan Amount:	\$2,000,000.00
Maximum Interest Rate:	0.00%
Loaned From:	Terre Haute Redevelopment Commission (\$1.5 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

e) — That an emergency exists on the basis of limited cash available at year-end to meet necessary financial obligations for the purpose of extending the loan from December 31, 2018 to June 30, 2019.


Introduced by:  O. Earl Elliott, Councilman

Passed in open Council this 7th day of June, 2018.

 Curtis Debaun IV, President

ATTEST:  Michelle L. Edwards, City Clerk

Presented by me to the Mayor this 7th day of June, 2019.

 Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this 7th day of JUNE, 2017.

 Duke A. Bennett, Mayor

ATTEST: Michelle L Edwards Michelle L. Edwards, City Clerk

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MAY 18 2018

CITY CLERK

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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 has and will continue to enable adequate cash flow requirements and avoid, or reduce entirely, the cost of borrowing funds from other sources;

WHEREAS, previous loans made by the Redevelopment Commission and pursuant to the Authorizing Statutes shall be paid in full prior to the issuance of a new loan through this Resolution;

WHEREAS, the Common Council finds an emergency exists to extend the loan authorized by this Resolution into FY 2019;

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;

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; and

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

- a) Pursuant to Resolution 6, 2017 the City of Terre Haute has previously deposited all funds related to a temporary loan received by 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 chosen by the Mayor of the City of Terre Haute that has been and remains qualified to receive and hold

deposits of the City (the "Depository Accounts") and City shall remain bound by those terms for the duration of the new temporary loan authorized by this Resolution.

b) All previous loans received from the City by the Redevelopment Commission pursuant to the Authorizing Statutes shall be repaid, in full, on or before June 30, 2018.

c) The Terre Haute Redevelopment Commission has been, and will continued to be, 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 for all loan amounts authorized by this Resolution.

d) The following temporary, revolving loan from funds of the Terre Haute Redevelopment Commission is to be established with the following parameters, effective upon passage of a reciprocal resolution by the Terre Haute Redevelopment Commission, and said temporary loan will have an initial term from July 01, 2018 to December 31, 2018 with an automatic extension from December 31, 2018 to June 30, 2019. 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 Commission 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 the loan and shall accelerate the repayment of any outstanding debts pursuant to this resolution within thirty (30) days of said default:

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Introduced by: _____ O. Earl Elliott, Councilman

Passed in open Council this _____ day of _____, 2018.

_____ Curtis Debaun IV, President

ATTEST: _____ Michelle L. Edwards, City Clerk

Presented by me to the Mayor this _____ day of _____, 2019.

_____ Michelle L. Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2017.

_____ Duke A. Bennett, Mayor

ATTEST: _____ Michelle L. Edwards, City Clerk

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_____ Curtis Debaun IV, President

ATTEST: _____ Michelle Edwards, City Clerk

Presented by me to the Mayor this _____ day of _____, 2018.

_____ Michelle Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2018.

_____ Duke A. Bennett, Mayor

ATTEST: _____ Charles P. Hanley, City Clerk