## RESOLUTION NO. 18-02

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA TO RESTRICT THE USE OF FUNDS IN THE CHARTER SCHOOL DEBT SERVICE FUND (FUND 201); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in October 2012, the City purchased the Cornerstone Charter property and established the Debt Service Fund (Fund 201) for the funds and accounts related to the Charter School pursuant to the Trust Indenture and the Lease Agreement by and between the City of Belle Isle as Landlord and City of Belle Isle Charter Schools, Inc. as Tenant; and

WHEREAS, in accordance with Section 5.1 of the Lease Agreement, the Tenant pays rent revenue directly to the Trustee which is deposited into the Revenue Fund at Regions Bank; and

WHEREAS, in pursuant to the terms of Section 6.02(f) of the Trust Indenture and the Standing Disbursement Instructions on file with the Trustee, the balance remaining in the Revenue Fund after the bond is paid and all required accounts are funded is returned to the City of Belle Isle and is no longer in control of the Trustee; and

WHEREAS, the City receives and deposits the funds returned to the City in the Debt Service Fund which are held in a separate bank account at Centerstate Bank titled "Public Funds School Rental Account"; and

WHEREAS, the City normally uses the funds for expenses related to the Charter School including but not limited to engineering fees, legal services, maintenance, and expenses associated with the Charter School bond; and

1	WHEREAS, in 2016, the City used approximately \$833,000 of these funds
2	to purchase the Wallace Field with opinion from the previous City Attorney
3	that the funds could be used for unrestricted purposes; and
4	WHEREAS, the City has identified major system repairs and replacements
5	needed at the Charter School in excess of the funds available in the Debt
6	Service Fund;
7	Therefore, the City Council of the City of Belle Isle, Florida hereby
8	resolves:
9	Section 1. The City Council hereby resolves to restrict the use of the
10	funds returned to the City from the Trustee in the Debt Service Fund to
11	expenses incurred or required directly related to the governance and
12	administration of the Charter School, the Charter School Debt Service Revenue
13	Bond and the Lease Agreement the City of Belle Isle has with the City of
14	Belle Isle Charter Schools, Inc.
15	Section 2. This Resolution shall take effect upon its adoption.
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17	Adopted by the City Council on this 3 <sup>rd</sup> day of April, 2018.
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20	LYDIA PISANO, MAYOR
21	Attest:
22	Yolanda Quiceno, City Clerk
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24	
25	Approved as to form and legality - Kurt Ardaman, City Attorney

STATE OF FLORIDA COUNTY OF ORANGE I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do hereby certify that the above and foregoing Resolution No. 18-02 was duly and legally passed and adopted by the Belle Isle City Council in session assembled, at which session a quorum of its members were present on the day of April, 2018. Yolanda Quiceno, City Clerk