

RESOLUTION NO. 18-91

RESOLUTION OF BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA APPROVING THE ISSUANCE OF NOT TO EXCEED \$18,350,000 PINELLAS COUNTY EDUCATIONAL FACILITIES AUTHORITY REVENUE BONDS (PINELLAS ACADEMY OF MATH AND SCIENCE PROJECT), SERIES 2018 PURSUANT TO SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Pinellas County, Florida (the "Board"), adopted on October 11, 1977, Resolution No. 77-601, as amended and supplemented by Resolution 94-296 and Resolution 99-215 (collectively, the "Resolution"), creating the Pinellas County Educational Facilities Authority (the "Authority"); and

WHEREAS, the Authority is by the Resolution empowered to issue its revenue bonds, the interest on which is excluded from gross income for federal income tax purposes for the purpose of providing financing for structures suitable for use as educational facilities, and other structures or facilities related thereto which are to be owned by nonprofit providers of education and also including equipment and other similar items necessary or convenient for the operation of a particular facility pursuant to Chapter 243, Part I and Chapter 159, Part II, Florida Statutes; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires as a condition of exclusion from gross income for federal income tax purposes of the interest on private activity bonds, that the issuance of private activity bonds, as defined in Section 141(a) of the Code, such as the Pinellas County Educational Facilities Authority Revenue Bonds (Pinellas Academy of Math and Science Project), Series 2018 in a principal amount not to exceed

\$18,350,000 (the "Bonds") be approved, after a public hearing following reasonable public notice, by the governmental unit on behalf of which such obligation is to be issued and the governmental unit having jurisdiction over the area in which the private activity bond-financed facility is to be located; and

WHEREAS, the Authority issues its revenue bonds on behalf of Pinellas County, Florida, the project to be financed and refinance with the proceeds of the Bonds is located in Pinellas County, Florida, and the Board of County Commissioners of Pinellas County (the "Governing Body") constitutes the elected legislative body of Pinellas County, Florida; and

WHEREAS, the Pinellas County Educational Facilities Authority has requested the Board of County Commissioners, pursuant to Section 147(f) of the Code, approve the issuance by the Authority of its Bonds; and

WHEREAS, the Board of County Commissioners of Pinellas County on October 6, 2018, published a notice of a public hearing in the *Tampa Bay Times*, a newspaper of general circulation in Clearwater and in Pinellas County, Florida, to be held at 6:00 p.m. on October 23, 2018, in the Board of County Commissioners' Assembly Room, Fifth Floor, Pinellas County Courthouse, 315 Court Street, Clearwater, Florida, to consider the Bonds and the location and nature of the project to be financed with the proceeds of the Bonds; and

WHEREAS, the public hearing so noticed, as indicated by the affidavit of the publisher of the *Tampa Bay Times* attached hereto as Exhibit A, was duly held on this day; and

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

Section 1. The issuance by the Pinellas County Educational Facilities Authority of its not to exceed \$18,350,000 Pinellas County Educational Facilities Authority Revenue Bonds (Pinellas Academy of Math and Science Project), Series 2018 for the purpose of (i) financing and refinancing the acquisition, equipping and undertaking improvements to a charter school facility located at 1775 South Highlands Avenue, Clearwater, Florida on behalf of Advantage Academy of Pinellas, Inc. d/b/a Pinellas Academy of Math and Science (the "Project") as further described on Exhibit A, and (ii) financing certain costs of issuance for the Bonds is hereby approved pursuant to and in accordance with Section 147(f) of the Code.

Section 2. This resolution shall take effect immediately upon its adoption.

In a regular meeting duly assembled on the 23rd day of October, 2018, Commissioner _____ Gerard _____ offered the foregoing resolution and moved its adoption, which was seconded by Commissioner _____ Seel _____, and upon roll call the vote was:

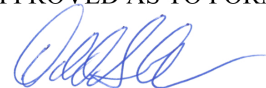
AYES: Welch, Seel, Beyrouiti, Eggers, Gerard, and Justice.

NAYS: None.

ABSENT AND NOT VOTING: Long.

APPROVED AS TO FORM

By:



Office of the County Attorney

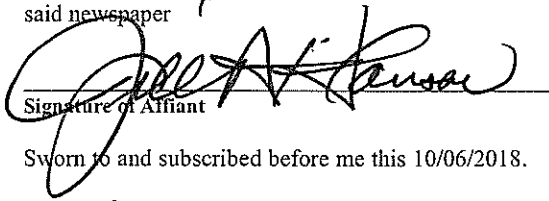
Tampa Bay Times

Published Daily

STATE OF FLORIDA }
COUNTY OF Pinellas County } ss

Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is **Legal Clerk of the Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: TEFRA Notice** was published in **Tampa Bay Times: 10/6/18**. in said newspaper in the issues of **Baylink All Pinellas**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

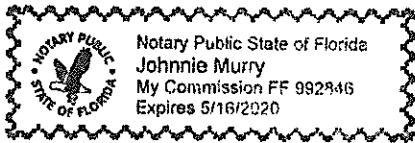

Signature of Affiant

Sworn to and subscribed before me this 10/06/2018.


Signature of Notary Public

Personally known or produced identification

Type of identification produced _____



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Pinellas County, Florida will consider the approval of one or more series of revenue bonds, either tax-exempt, or taxable, or both, to be issued by the Pinellas County Educational Facilities Authority (the "Issuer"), in the aggregate principal amount of not to exceed \$18,350,000 (the "Bonds") on behalf of Advantage Academy of Pinellas, Inc., a Florida not-for-profit corporation, d/b/a Pinellas Academy of Math and Science (the "School"), located on an existing, approximately, 45,000 square-foot charter school facility to accommodate up to approximately 900 students in grades Kindergarten through Eight at full occupancy, including related facilities, fixtures, furnishings and equipment, known as Pinellas Academy of Math and Science, located at 1775 South Highlands Avenue, Clearwater, Florida 33756 (the "Educational Facility"), at a public hearing to be held at a meeting on October 23, 2018, beginning at 6:00 p.m., or as soon thereafter as may be heard, in the Board of County Commissioners' Assembly Room, Fifth Floor, at the Pinellas County Courthouse, 315 Court Street, Clearwater, Florida.

The proceeds of such bond issue will be used by the School for the purpose of financing or refinancing, including through reimbursement, (i) the acquisition, equipping and improvement of the Educational Facility and the real property upon which such Educational Facility is located, (ii) if deemed necessary, the funding of a debt service reserve fund for the Bonds, and (iii) the payment of certain costs of issuing the Bonds (the purposes described in clauses (i) through (iii) are hereinafter collectively referred to as the "Project"). The Educational Facility will be owned by the School. The initial manager of the Educational Facility will be Charter School Associates, Inc., or an affiliate thereof or another entity chosen by the School.

THE BONDS WILL NOT CONSTITUTE A DEBT OF THE STATE OF FLORIDA, THE SCHOOL DISTRICT OF PINELLAS COUNTY, FLORIDA, PINELLAS COUNTY, OR ANY POLITICAL SUBDIVISION THEREOF, but will be payable solely from payments made by the School.

The hearing is being held for the purpose of affording residents of Pinellas County, Florida and other interested persons an opportunity to express their views, both orally and in writing, on the proposed issuance of the Bonds and the nature and location of the Project. All interested parties are invited to present their comments at the time and place shown above.

Persons are advised that if they decide to appeal any decision made at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 464-4062 (Voice/TDD) or fax a written request to (727) 464-4157.

Ken Burke, Clerk
Board of County Commissioners
By Norman D. Loy, Deputy Clerk

(694372) 10/06/2018