

RESOLUTION NO. 03-23

A RESOLUTION REQUESTING THE ISSUANCE OF REVENUE BONDS TO FINANCE THE CONSTRUCTION OF A STUDENT HOUSING FACILITY ON THE CAMPUS OF FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE BOARD OF TRUSTEES:

SECTION 1. Pursuant to 1010.62, Florida Statutes, the Board of Trustees (the “Board of Trustees”) of Florida Agricultural and Mechanical University (the “University”) hereby requests the Board of Governors of the State University System of Florida (the “Board of Governors”) to approve the issuance of debt and to request the Division of Bond Finance of the State Board of Administration of Florida (the “Division”) to issue such debt in the form of revenue bonds, in one or more series, in an aggregate amount not exceeding \$102,995,000 (the “Bonds”) for the purpose of financing: (i) the construction and equipping of a student housing facility on the campus of the University (the “Project”), (ii) capitalized interest, if any, (iii) a debt service reserve fund, if necessary, and (iv) certain costs associated with issuing the Bonds.

SECTION 2. The Project will consist of a student housing facility with approximately 700 beds with ground-floor amenity space, located on the main campus of the University. The Project is reflected on the approved campus master plan for the University and is consistent with the mission of the University because it provides on-campus housing for students.

Construction of the Project is expected to begin in March 2024 and to be completed by June 2025 and to open in August 2025 for the Fall 2025 semester. Legislative approval of the Project has been obtained pursuant to Section 1010.62, Florida Statutes.

Proceeds of the Bonds are anticipated to be sufficient to complete the construction and equipping of the Project without the use of additional funds. No proceeds of the Bonds will be used to finance operating expenses of the University.

SECTION 3. The Bonds are to be secured by a first lien pledge on the net revenues of the housing system (the “Pledged Revenues”), which are legally authorized to be pledged as security for the Bonds pursuant to Section 1010.62, Florida Statutes. The Bonds may also be secured by such other revenues as may be designated by the Board of Trustees and approved by the Board of Governors from time to time. If the Pledged Revenues are insufficient, the Bonds may also be paid from moneys due to the University from the federal government for the payment of grants and contracts, as provided by Section 1010.62, Florida Statutes. The University is committed to ensuring that sufficient revenues will be generated to fulfill the University’s obligations with respect to the Bonds.

SECTION 4. The Bonds will mature not more than thirty (30) years after issuance, including any extensions or renewals thereof. The Project has an estimated useful life of fifty (50) years, which is beyond the anticipated final maturity of the Bonds. The Bonds will bear interest at a fixed interest rate. The Bonds will be issued on a taxable basis through the U.S. Department of Education’s Historically Black College and University Capital Financing Program (the “HBCU Capital Financing Program”). The taxable rate available through the HBCU Capital Financing Program is expected to provide the University with a lower cost of funds than it would be able to obtain in a tax-exempt capital markets transaction.

SECTION 5. In lieu of offering the Bonds competitively, the Bonds will be privately placed through the HBCU Capital Financing Program. A loan through the HBCU Capital Financing Program and the promissory note evidencing such loan (together, an “HBCU Loan”), is a debt obligation that constitutes a revenue bond pursuant to Article VII, Section 11(d) of the Florida Constitution, and Section 1010.62,

Florida Statutes. A private placement with the HBCU Capital Financing Program is in the best interest of the University due to the credit quality of the University and the lower cost of funds available to through the HBCU Capital Financing Program.

The University is authorized to submit a loan application through the HBCU Capital Financing Program to finance the purposes described above and to pay HBCU Loan processing fees from the proceeds of the Bonds or other available sources.

SECTION 6. The Board of Trustees will comply, and will require the University to comply, with all requirements of federal and state law relating to the Bonds and all covenants and requirements of the HBCU Loan relating to the Bonds. The University will respond to requests for information from the Division in a timely manner.

SECTION 7. The University will comply with the Board of Governors' Debt Management Guidelines and the debt management policy of the University.

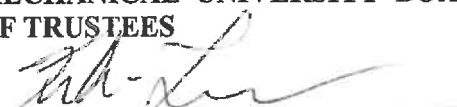
SECTION 8. The President and other authorized representatives of the University and the Board of Trustees are hereby authorized to take all actions and steps, to execute all instruments, documents, and contracts, and to take all other actions as the Division may deem necessary or desirable in connection with the execution, sale, and delivery of the Bonds and the execution of the HBCU Loan.

SECTION 9. In making the determination to finance the Project, the Board of Trustees has reviewed the information described in Appendix A, attached hereto.

SECTION 10. This Resolution shall take effect immediately upon its adoption.

Adopted this 3rd day of August, 2023.

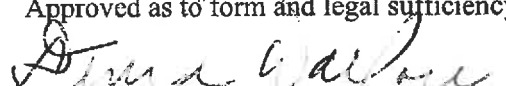
**FLORIDA AGRICULTURAL AND
MECHANICAL UNIVERSITY BOARD
OF TRUSTEES**


Kelvin Lawson, Chair

ATTEST:


Larry Robinson
Corporate Secretary

Approved as to form and legal sufficiency:


Denise Wallace, Vice President and
General Counsel

August 3, 2023