



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Anzolitto
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Colvin
- ☒ X All

DESCRIPTION	CONSIDER RESOLUTION NO. 2016-R80; A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CERTIFICATION AND AGREEMENT OF GOVERNMENT/ GOVERNMENT-RELATED ENTITY BETWEEN THE CITY OF BOERNE AND UBS FINANCIAL SERVICES INC. <i>(Non-Designation Of Financial Advisement)</i>
STAFF'S RECOMMENDED ACTION (be specific)	Approve Resolution No. 2016-R80; A Resolution Authorizing The City Manager To Enter Into And Manage A Certification And Agreement Of Government/ Government-Related Entity Between The City Of Boerne And UBS Financial Services Inc. <i>(Non-Designation Of Financial Advisement)</i>
CONTACT PERSON	Sandy Mattick
SUMMARY	<p>In 2004, the City opened a Basic Investment Account with UBS Financial Services, Inc. for investment purposes. In July of 2014, the Securities and Exchange Commission's (SEC) new "Municipal Advisor Rule" came into effect. This Rule requires municipal advisors to register with the SEC and regulates them separately.</p> <p>The City uses UBS Financial Services as a broker/dealer to invest bond proceeds and bond related reserves and therefore, unless exempted, UBS would be subject to the SEC's "Municipal Advisor Rule". There are three narrowly-defined exemptions from regulation by the SEC as a Municipal Advisor. One such exemption is when an issuer, such as the City of Boerne, has engaged an "independent registered municipal advisor."</p> <p>This form is required by UBS in order to certify that the City has engaged and is represented by an Independent Registered Municipal Advisor (IRMA) thus exempting UBS from the SEC's Municipal Advisor Rule. The form requires approval by the client's (City of Boerne) governing body.</p> <p>The City's IRMA is Duane Westerman of SAMCO Capital Markets, Inc. Since the City invests bond related funds with UBS, they must ensure they do not become a municipal advisor to the City.</p>
COST	N/A

SOURCE OF FUNDS	N/A
ADDITIONAL INFORMATION	See attached Certification and Agreement of Government.

This summary is not meant to be all inclusive. Supporting documentation is attached.

Form Revised 6/1/16