

RESOLUTION NO. 2019-R28

A RESOLUTION RELATING TO ESTABLISHING THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO CITY EQUIPMENT PURCHASES FROM THE PROCEEDS OF TAX- EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City of Boerne (the "City") intends to undertake the capital projects described in *Exhibit A* hereto (the "Projects"); and

WHEREAS, it is anticipated that the City will incur a lease on a tax-exempt basis (the "Lease") for the purpose of financing all or a portion of the Project;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

SECTION 1. That the City intends that expenditures paid from its own funds for the Projects will be reimbursed with proceeds of the Loan.

SECTION 2. That the maximum principal amount of the Loan is estimated to be \$475,000.

SECTION 3. That the City reasonably expects that it will reimburse expenditures paid for the Projects with the proceeds of the Loan not later than 18 months after the date the original expenditure is paid or the date the Projects are placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

SECTION 4. That the City intends that this Resolution satisfy the official intent requirement set forth in Section 1.150-2 of the Treasury Regulations.

SECTION 5. That this Resolution shall be liberally construed to evidence the intent of the City to comply with state law and federal income tax law in the issuance of tax-exempt debt for the Project.

SECTION 6. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 7. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 10. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Governing Body hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 11. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 12. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

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PASSED, ADOPTED AND APPROVED on this the ____ day of April, 2019.

CITY OF BOERNE, TEXAS

APPROVED:

Mayor

ATTEST:

City Secretary

(CITY SEAL)

EXHIBIT A
DESCRIPTION OF PROJECTS

Purchase of the following equipment:

Altec Model AA55E Articulating Non-Overcenter Aerial Device with a fiberglass upper boom and fiberglass insulator in the lower boom and a proportional joystick upper control and toggle switches

2019 Chevrolet Silverado 6500 Medium Dump 4x2-Regular Cab

Fire Department Breathing Apparatus - Scott X3PRO 4500 with snap in air cylinders, Buddy Breathing System, Quick Disconnect Regulator, and Command air tracking system