

Regular 01-27-15
Item # CA-15-012
CCM/R 15-010R

CITY COUNCIL MEMORANDUM FOR RESOLUTION

AGENDA ITEM

**RESOLUTION EXPRESSING OFFICIAL INTENT
BY THE CITY TO REIMBURSE CERTAIN
COSTS RELATED TO SOLID WASTE VEHICLES
AND STREET GRADING VEHICLES**

ORIGINATING DEPARTMENT

Finance

BACKGROUND INFORMATION

The Solid Waste Department and Street Department were provided funding in the FY 15 budget to acquire/lease vehicles. After discussions with the City's financial advisor and bond counsel, it was determined that Limited Tax Notes would be the better financing approach. Funds will be needed to purchase these vehicles before the debt is issued. The not-to-exceed amount of the reimbursement resolution is \$2,445,000.

DISCUSSION/CONCLUSION

A reimbursement resolution needs to be approved by the City Council which will allow the City to expend funds for the procurements and projects identified and then be reimbursed for those expenditures as the proceeds from the Limited Tax Notes are received.

FISCAL IMPACT

The City's Solid Waste Fund and General Fund will advance funds for these items, as needed. When proceeds from the sale of the Limited Tax Notes are received, amounts that have been advanced from the Solid Waste Fund and General Fund will be repaid to the Solid Waste Fund and General Fund, respectively.

RECOMMENDATION


Staff recommends that the City Council adopt the attached resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

That the above stated recommendation is hereby approved and authorized.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this the 27th day of January, 2015, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, § 551.001 *et seq.*

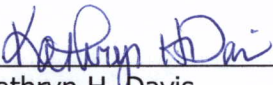
APPROVED



Scott Cospers
MAYOR

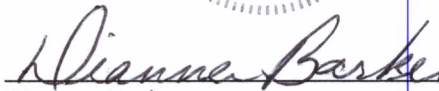


APPROVED AS TO FORM:



Kathryn H. Davis
CITY ATTORNEY

ATTEST:



Dianna Barker
CITY SECRETARY

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF BELL §
CITY OF KILLEEN §

I, the undersigned City Secretary of the City of Killeen, Texas, hereby certify as follows:

1. The City Council of said City convened in Regular Session on January 27, 2015, at the regular meeting place thereof, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Scott Coper, Mayor
Elizabeth Blackstone, Mayor Pro Tem
Jonathan Okray, Councilmember
Juan Rivera, Councilmember
Wayne Gilmore, Councilmember
Jose Segarra, Councilmember
Terry Clark, Councilmember
Steve Harris, Council member

and all of said persons were present, except for the following: N/A; thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written Resolution entitled

**RESOLUTION EXPRESSING OFFICIAL INTENT TO
REIMBURSE FOR CERTAIN COSTS RELATED TO THE PURCHASE OF SOLID
WASTE VEHICLES AND STREET GRADING VEHICLES**

was duly introduced for consideration and passage on first reading. It was then duly moved and seconded that said Resolution be passed on first reading; and, after due discussion, said motion, carrying with it the passage of said Resolution, prevailed and carried by the following vote:

AYES: 6

NOES: 1

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Tex. Gov't Code Ann., ch. 551.

SIGNED AND SEALED this January 27, 2015.

Dianne Barber
City Secretary, City of Killeen, Texas

[CITY SEAL]



RESOLUTION NO. _____

**RESOLUTION EXPRESSING OFFICIAL INTENT TO
REIMBURSE FOR CERTAIN COSTS RELATED TO THE PURCHASE OF SOLID
WASTE VEHICLES AND STREET GRADING VEHICLES**

WHEREAS, the City Council of the City of Killeen, Texas (the "City") expects to pay expenditures in connection with the projects described on Exhibit A attached hereto (collectively, the "Project") prior to the issuance of obligations to finance the Project; and

WHEREAS, the City finds, considers and declares that the reimbursement of the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project.

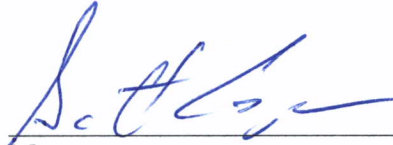
**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
KILLEEN, TEXAS:**

Section 1. The City reasonably expects to incur debt, as one or more separate series of various types of obligations, with an aggregate maximum principal amount not to exceed \$2,445,000 for the purpose of paying the costs of the Project prior to issuance of such obligations.

Section 2. All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the City in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED, APPROVED AND EFFECTIVE THIS JANUARY 27, 2015.



Mayor
City of Killeen, Texas

ATTEST:



City Secretary
City of Killeen, Texas

APPROVED AS TO FORM:



City Attorney
City of Killeen, Texas

EXHIBIT A

Costs associated with (i) purchasing, acquiring and equipping solid waste department vehicles, including various freightliner, front loader, side loader, rear loader and brush truck chassis and pick-up trucks (ii) purchasing, acquiring and equipping a new backhoe loader, and (iii) other related costs including payment of professional services in connection therewith including legal, fiscal, and engineering fees.