

6/09/16
ITEM #___

RESOLUTION NO. 2016-06-09-_____R

RESOLUTION EXPRESSING THE CITY'S OFFICIAL INTENT TO REIMBURSE COSTS ASSOCIATED WITH CERTAIN CAPITAL IMPROVEMENTS TO THE SAN ANTONIO INTERNATIONAL AIRPORT WITH TAX-EXEMPT OR TAXABLE OBLIGATION PROCEEDS

WHEREAS, the CITY OF SAN ANTONIO, TEXAS (the "*City*") owns and operates the *San Antonio International Airport* (the "*Airport*"); and

WHEREAS, the City Council of the City hereby determines that it is necessary and desirable to acquire, construct and equip capital improvements to the Airport, including but not limited to constructing and equipping improvements described in the City's current capital improvement program for the Airport (collectively, the "*Project*"); and

WHEREAS, the City expects that it will pay, from available funds of the City, expenditures in connection with the Project prior to the issuance of obligations, the interest on which would be either tax-exempt or taxable for purposes of federal income taxation (the "*Obligations*"), to finance the Project; and

WHEREAS, Section 1201.042(c), Texas Government Code, as amended, provides that proceeds from the sale of public securities, such as the Obligations, that are issued to finance the acquisition, construction, equipping, or furnishing of a project or facility may be used to reimburse the issuer of such public securities for a cost that is (i) attributable to the project or facility, and (ii) paid or incurred before the date of the public security's issuance; 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 United States Treasury Regulations (with respect to the issuance of tax-exempt obligations) and the laws of the State of Texas, to reimburse itself for such payments at such time as the City issues Obligations to finance the Project;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS THAT:

SECTION 1. EXPECTATION TO INCUR DEBT. The City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount of \$35,000,000 for the purpose of paying the costs of the Project; and

6/09/16
ITEM #___

SECTION 2. REIMBURSEMENT OF PRIOR EXPENDITURES. 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. THREE-YEAR LIMITATION FOR REIMBURSEMENT. The foregoing notwithstanding, no tax-exempt Obligations will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

SECTION 4. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City hereby incorporates such recitals as a part of this Resolution.

SECTION 5. EFFECTIVE DATE. This Resolution shall become effective immediately upon passage thereof.

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6/09/16
ITEM #____

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS ON THE 9TH DAY OF JUNE, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha Sepeda, Acting City Attorney

(City Seal)

** ** * * *

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTIES OF BEXAR AND COMAL §
CITY OF SAN ANTONIO §

I, the undersigned City Clerk of the **CITY OF SAN ANTONIO, TEXAS** (the "**City**"), hereby certify as follows:

1. The City Council of the City (the "**City Council**") convened in Regular Meeting on June 9, 2016 (the "**Meeting**"), at the City Hall, and the roll was called of the duly constituted officers and members of the City Council, to wit:

Ivy R. Taylor	Mayor
Roberto C. Treviño	Councilmember, District 1
Alan E. Warrick, II	Councilmember, District 2
Rebecca J. Viagran	Councilmember, District 3
Rey Saldana	Councilmember, District 4
Shirley Gonzales	Councilmember, District 5
Ray Lopez	Councilmember, District 6
Cris Medina	Councilmember, District 7
Ron Nirenberg	Councilmember, District 8
Joe Krier	Councilmember, District 9
Mike Gallagher	Councilmember, District 10

and all of said officers and members of the City Council were present, except the following absentees: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written Resolution No. **2016-06-__ - ____R** (the "**Resolution**") entitled

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was duly introduced for the consideration of the City Council. It was then duly moved and seconded that the Resolution be adopted; and, after due discussion, said motion carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

AYES: _____ NOES: _____ ABSTENTIONS: _____

2. A true, full and correct copy of the Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; the Resolution has been duly recorded in the City Council's minutes of the Meeting; the above and foregoing paragraph is a true, full and correct excerpt from the City Council's minutes of the Meeting pertaining to the passage of the Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and each of said officers and members consented, in advance, to the holding of the Meeting for such purpose; and the Meeting was open to the public and public notice of the time, place and purpose of the Meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED the 9th day of June, 2016.

(SEAL)

City Clerk
City of San Antonio, Texas

Signature Page to the "Certificate for Resolution" for the
Reimbursement Resolution Relating to
Financing Improvements to the San Antonio International Airport