

RESOLUTION NO. 15-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, EXPRESSING OFFICIAL INTENT TO REIMBURSE 2012 CERTIFICATE OF OBLIGATION AND WATER AND SEWER REVENUE BOND PROJECT COSTS INCURRED PRIOR TO THE DATE OF ISSUANCE OF THE OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mesquite, Texas (the "Issuer"), is a home-rule municipality and political subdivision of the State of Texas; and

WHEREAS, the Issuer expects to pay, or have paid on its behalf, expenditures in connection with the design, planning, acquisition and construction of the projects described on Exhibit "A" attached hereto (the "Projects") prior to the issuance of tax-exempt obligations, tax-credit obligations and/or obligations for which a prior expression of intent to finance or refinance is required by federal or State law (collectively and individually, the "Obligations") to finance the Projects; and

WHEREAS, the Issuer finds, considers and declares that the reimbursement for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention to reimburse itself for such payments at such time as it issues Obligations to finance the Projects.

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

SECTION 1. That the Issuer reasonably expects to incur debt, as one or more series of Obligations, with an aggregate maximum principal amount equal to \$12,600,000.00 for the purpose of paying the costs of the Projects.

SECTION 2. That all costs to be reimbursed pursuant hereto will be capital expenditures. No Obligations will be issued by the Issuer in furtherance of this Statement 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. That the foregoing notwithstanding, no Obligation will be issued pursuant to this Statement more than three years after the date any expenditure which is to be reimbursed is paid.

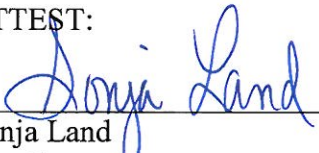
SECTION 4. That the foregoing Sections 2 and 3 notwithstanding, all costs to be reimbursed with qualified tax-credit obligations shall not be paid prior to the date hereof and no tax-credit obligations shall be issued after 18 months of the date the original expenditure is made.

SECTION 5. That this Resolution shall become effective immediately upon its adoption.

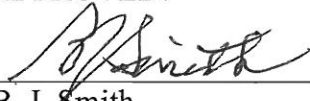
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 21st day of May, 2012.

  
\_\_\_\_\_  
John Monaco  
Mayor

ATTEST:

  
\_\_\_\_\_  
Sonja Land  
City Secretary

APPROVED:

  
\_\_\_\_\_  
B. J. Smith  
City Attorney

## **EXHIBIT "A"**

Acquiring, constructing, installing and equipping additions, improvements and extensions to the City's waterworks and sewer system; constructing and improving streets, roads, alleys and sidewalks including related drainage, signalization, landscaping, lighting and signage; constructing, improving, equipping and renovating a Police/City Hall facility; major repairs and renovations to existing municipal buildings, including the Municipal Center and Service Center buildings and lighting at the Service Center; acquisition of equipment and vehicles for municipal departments; and acquisition of computer equipment and software for municipal departments, including upgrade of major software systems.

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §  
COUNTY OF DALLAS §  
CITY OF MESQUITE §

We, the undersigned officers of said City, hereby certify as follows:

1. That the City Council of said City convened in regular meeting on May 21, 2012, at the designated meeting place, and the roll was called of the duly constituted officers and members of said City Council, to wit:

- John Monaco, Mayor
- Dennis Tarpley, Mayor Pro-Tem
- Brian Hutcheson, Deputy Mayor Pro-Tem
- Bill Porter, Council Member
- Al Forsythe, Council Member
- Stan Pickett, Council Member
- Shirley Roberts, Council Member

and all of said persons were present, except None, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written resolution entitled

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CERTIFICATE OF OBLIGATION AND WATER AND SEWER REVENUE  
BOND PROJECT COSTS INCURRED PRIOR TO THE DATE OF ISSUANCE  
OF THE OBLIGATIONS; AND PROVIDING AN EFFECTIVE DATE

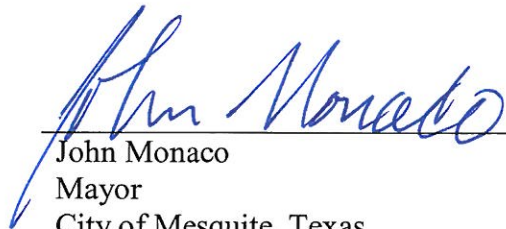
was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be adopted and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

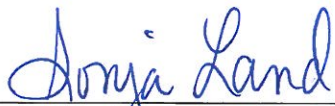
AYES: 7 NOES: 0 ABSTAIN: 0

2. That a true, full and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council 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 adoption at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that 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 Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Resolution; that the Mayor and the City Secretary of said City have duly signed said Resolution; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED this 21st day of May, 2012.

  
\_\_\_\_\_  
John Monaco  
Mayor  
City of Mesquite, Texas

  
\_\_\_\_\_  
Sonja Land  
City Secretary  
City of Mesquite, Texas

(CITY SEAL)