

City Council
December 27, 2010

A special meeting of the Mayor and City Council of the City of Waxahachie, Texas was held in the Council Chamber at City Hall, 401 S. Rogers on Monday, December 27, 2010, at 5:00 p.m.

Council Members Present: N.B. "Buck" Jordan, Mayor
John Wray, Mayor Pro Tem
Chuck Beatty, Councilman
Kevin Strength, Councilman

Member Absent: Mark Singleton, Councilman

Others Present: Paul Stevens, City Manager
Michael Scott, Assistant City Manager
Steve Chapman, City Attorney
Lori Saunders, City Secretary

Mayor Buck Jordan called the meeting to order, gave the invocation and led the Pledge of Allegiance.

Mr. Leroy Grawunder, Bond Counsel for the City of Waxahachie presented matters related to the issuance and sale of City of Waxahachie Special Assessment Bonds, Series 2011 for the Public Improvement District No. 1 Phase I Project for Saddlebrook Estates Subdivision. Mr. Grawunder reported the sale of bonds for Phase I totals \$1.34 million and explained this will reimburse the developer for a portion of the cost of the public improvements, such as parks, pools and landscaping. The total public improvement is \$2.8 million in Phase I. The bonds sold at an interest rate of 7.5% and will mature in February 2038. Transaction will close on January 20, 2011.

After further discussion, Mayor Pro Tem John Wray moved to approve the issuance and sale of "City of Waxahachie, Texas Special Assessment Bonds, Series 2011 (Waxahachie Public Improvement District No. 1 Phase I Project)", including the adoption of an Ordinance authorizing the issuance of such bonds, approving a Trust Indenture and a Bond Purchase Contract, and enacting other provisions relating to the subject as presented. Councilman Kevin Strength seconded, **All Ayes.**

Councilman Chuck Beatty moved to approve all matters incident and related to an update to the Service and Assessment Plan for the platted lots of the Waxahachie Public Improvement District No. 1, including the adoption of resolution approving the update. Mayor Pro Tem John Wray seconded, **All Ayes.**

City Manager Paul Stevens presented Resolution No. 1143 declaring intent to reimburse expenditures with proceeds of future debt for the purpose of a new fire station. He explained the City has contracted with an Architect and the Resolution will allow the City to pay Architectural services now and reimburse itself when the bonds are sold in 2011.

Resolution No. 1143

A RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT FOR THE PURPOSE OF A NEW FIRE STATION.

WHEREAS, the City of Waxahachie (the "City") intends to issue debt to finance cost to be incurred for fire station and related expenses prior to the issuance of such debt with the expectation that such expenditures are to be reimbursed with proceeds of such debt; and

WHEREAS, Treas. Reg. § 1.150-2 (the "Regulation") provides that to fund such reimbursement with proceeds of tax-exempt obligations the City must declare its expectation to make such reimbursement; and

WHEREAS, the City desires to preserve its ability to reimburse the expenditures with proceeds of tax-exempt obligations.

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

SECTION 1

That the City reasonable expects to reimburse General Fund with proceeds of debt hereafter to be issued by the City, and this resolution shall constitute a declaration of official intend under the Regulation.

SECTION 2

That the City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution including a loan from the General Fund in an amount not to exceed \$250,000.

SECTION 3

That this resolution shall take effect immediately from and after the date of passage.

Councilman Kevin Strength moved to approve Resolution No. 1143 as presented. Councilman Chuck Beatty seconded. **All Ayes.**

There being no further business, Councilman Kevin Strength moved the meeting adjourned at 5:19 p.m. Mayor Pro Tem John Wray seconded, **All Ayes.**

Respectfully submitted,

Lori Saunders
City Secretary