2015-04-02-0026R

RESOLUTION APPROVING THE ISSUANCE OF TAX-EXEMPT REVENUE NOTES BY CITY OF SHAVANO PARK, TEXAS HIGHER EDUCATION FACILITIES CORPORATION TO FINANCE AND REFINANCE ACQUISITION AND CONSTRUCTION OF CERTAIN EDUCATIONAL FACILITIES BY THE MONTESSORI SCHOOL OF SAN ANTONIO

WHEREAS, the City of Shavano Park, Texas Higher Education Facilities Corporation (the "Issuer") was created by the City of Shavano Park, Texas (the "Sponsor") pursuant to the provisions of the Texas Higher Education Facility Authority for Private Schools Act, as amended, formerly Chapter 53, Texas Education Code, and now codified as Texas Education Code, Chapter 53A, and particularly Section 53.35(b) thereof (the "Act"); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the Issuer has conducted a public hearing following reasonable public notice (a copy of which notice is attached hereto as Exhibit A) with respect to its intent to issue its tax-exempt revenue notes in an aggregate principal amount not to exceed $5,200,000 (the "Notes"), to finance and refinance a portion of the costs of the acquisition, construction, repair, renovation, improvement, and equipping of certain educational facilities of The Montessori School of San Antonio (the "Borrower"), all located or to be located within the City of San Antonio, Texas at 17722 Rogers Ranch Parkway, San Antonio, Texas 78258 (the "Project"), to be owned and operated by Borrower, and has submitted to the City a Report of Public Hearing describing the comments, if any, received at such hearing, a copy of which report is attached hereto as Exhibit B; and

WHEREAS, in order to satisfy the requirements of Section 147(f) of the Code, it is necessary for the City to approve the Notes and the Project after the public hearing has been held; and

WHEREAS, it is deemed necessary and advisable that this Resolution be adopted;

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

Section 1. The City Council specifically approves (i) the Notes, which are to be issued in one or more series in the maximum aggregate principal amount not to exceed $5,200,000, and (ii) the Project described in Exhibit A hereto, pursuant to Section 147(f) of the Code.

Section 2. The approval herein given is in accordance with the provisions of Section 147(f) of the Code, and is not to be construed as any undertaking by the City, and the Notes shall never constitute an indebtedness or pledge of the City, or the State of Texas, within the meaning of any constitutional or statutory provision, and the holders of the Notes shall never be paid in whole or in part out of any funds raised or to be raised by taxation or any other revenues of the Issuer, the City, or the State of Texas except those revenues assigned and pledged by the Issuer in the loan agreement that will be executed and delivered in connection with the Notes.

Section 3. The Mayor, the City Clerk of the City, and the other officers of the City are hereby authorized, jointly and severally, to execute and deliver such endorsements, instruments, certificates, documents, or papers necessary and advisable to carry out the intent and purposes of this Resolution.

[The remainder of this page intentionally left blank.]

PASSED AND APPROVED this APRIL 2, 2015.

CITY OF SAN ANTONIO, TEXAS

Mayor

(SEAL)

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

CERTIFICATE OF CITY CLERK

STATE OF TEXAS	§
	§
COUNTIES OF BEXAR, COMAL	§
AND MEDINA	§
	§
CITY OF SAN ANTONIO	§

1. On the 2nd day of April, 2015 the City Council (the *Council*) of the City of San Antonio, Texas (the *City*) convened in regular session at its regular meeting place in the City Hall of the city (the *Meeting*), the duly constituted members of the Council being as follows:

Ivy R. Taylor	Mayor
Joe Krier	Mayor Pro Tem
Roberto C. Trevino	Councilmember
Alan E. Warrick, II	Councilmember
Rebecca J. Viagran	Councilmember
Rey Saldaña	Councilmember
Shirley Gonzales	Councilmember
Ray Lopez	Councilmember
Cris Medina	Councilmember
Ron Nirenberg	Councilmember
Mike Gallagher	Councilmember

and all of such persons were present at the Meeting, except the following: NONE thus constituting a quorum. Among other business considered at the Meeting, the attached Resolution (the *Resolution*) entitled:

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was introduced and submitted to the Council. After presentation and due consideration of the Resolution, a motion was made by councilmember KRIER that the Resolution be finally passed and adopted in accordance with the City's Home Rule Charter. The motion was seconded by Councilmember TREVINO and carried by the following vote:

11 voted "For" Ø voted "Against" Ø abstained

all as shown in the official Minutes of the Council for the Meeting.

2. The attached Resolution is a true and correct copy of the original on file in the official records of the City; the duly qualified and acting members of the Council of the City on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Council was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Resolution would be considered; and the Meeting and deliberation of the aforesaid public business, including the subject of the Resolution, was open to the public and was posted and given in advance thereof in compliance with the provisions of Chapter 551, as amended, Texas Government Code.

IN WITNESS WHEREOF, I have signed my name officially and affixed the seal of the City, this 2nd day of April, 2015.

[SEAL]

City Clerk
City of San Antonio, Texas

#4847693.1

Agenda Item:	**41 (in consent vote: 5, 6, 7, 8, 9, 11, 13, 14, 15, 16, 17, 18, 19, 20, 23, 24, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 41, 42, 43, 44)**
Date:	04/02/2015
Time:	11:33:45 AM
Vote Type:	Motion to Approve
Description:	A Resolution approving the issuance of tax-exempt Revenue Notes by the City of Shavano Park, Texas Higher Education Facilities Corporation to finance and refinance the acquisition and construction of certain educational facilities by the Montessori School of San Antonio. [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				x
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x			x	
Michael Gallagher	District 10		x				