

RESOLUTION NO. MFC 2010-03-04-0004R

**A RESOLUTION OF THE  
CITY OF SAN ANTONIO, TEXAS  
MUNICIPAL FACILITIES CORPORATION**

**EXPRESSING OFFICIAL INTENT TO REIMBURSE COSTS INCURRED  
TO CONSTRUCT AND EQUIP A NEW PUBLIC SAFETY DISPATCH AND  
COMMUNICATIONS CENTER FOR THE CITY OF SAN ANTONIO**

*WHEREAS*, the CITY OF SAN ANTONIO, TEXAS (the "*City*") created the CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION (the "*Corporation*") as a non-profit local government corporation pursuant to the provisions of Subchapter D of Chapter 431, Texas Transportation Code, as amended, to aid and act on behalf of the City to acquire, construct, equip, finance, operate and maintain land and municipal facilities for the City at the request of the City Council; and

*WHEREAS*, the City intends to request the Corporation to acquire, construct and equip a new Public Safety Dispatch and Communications Center on land located at Brooks City-Base in order to provide improved dispatch and communication facilities and services to serve the public safety needs of the community (the "*Project*"); and

*WHEREAS*, it is expected that the Corporation will lease the Project to the City and that the City will occupy and operate the Project in conjunction with the City's various public safety departments; and

*WHEREAS*, it is further expected that the City will request the Corporation to issue a series of lease revenue bonds to provide funds to finance the acquisition of land for, and the construction and equipping of, the Project; and

*WHEREAS*, the Corporation expects that it or the City will pay expenditures in connection with the Project 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 Project; and

*WHEREAS*, the Corporation finds, considers, and declares that the reimbursement of the Corporation or the City for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Corporation and, as such, chooses to declare its intention to reimburse itself or the City for such payments at such time as the Corporation issues Obligations to finance the Project;

***THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION THAT:***

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

**SECTION 2. REIMBURSEMENT OF PRIOR EXPENDITURES.** All costs to be reimbursed pursuant hereto will be capital expenditures. No Obligations will be issued by the Corporation 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 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. REIMBURSEMENT WITH TAX CREDIT BONDS.** 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. INCORPORATION OF RECITALS.** The Corporation hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Corporation hereby incorporates such recitals as a part of this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall become effective immediately upon passage thereof.

*[The remainder of this page intentionally left blank]*

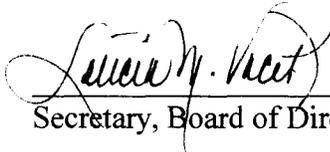
3/04/10  
ITEM #5B

***PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION THIS 4<sup>TH</sup> DAY OF MARCH, 2010.***

  
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President, Board of Directors

**JULIÁN CASTRO**

Attest:

  
\_\_\_\_\_  
Secretary, Board of Directors

(Seal)



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[SIGNATURE PAGE TO REIMBURSEMENT RESOLUTION RELATING TO  
PUBLIC SAFETY DISPATCH AND COMMUNICATIONS CENTER]

**CERTIFICATE FOR RESOLUTION**

I, the undersigned Secretary of the **CITY OF SAN ANTONIO, TEXAS MUNICIPAL FACILITIES CORPORATION** (the "**Corporation**"), hereby certify as follows:

1. The Board of Directors of the Corporation convened in Special Meeting on the 4<sup>th</sup> day of March, 2010 at the designated meeting place, and the roll was called of the duly constituted officers and members of said Board of Directors, to wit:

Julián Castro, President	David Medina, Jr.
Elisa Chan, Vice President	Jennifer V. Ramos
Mary Alice P. Cisneros	Justin Rodriguez
John G. Clamp	Ivy R. Taylor
Philip A. Cortez	W. Reed Williams
Ray Lopez	

and all of said persons were present, except the following absentees: David Medina, Jr., thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written Resolution No. MFC 2010-03-04-0004R, entitled:

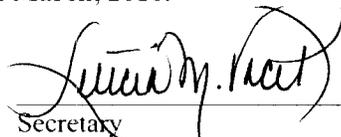
**RESOLUTION EXPRESSING OFFICIAL INTENT TO REIMBURSE WITH TAX-EXEMPT OBLIGATION PROCEEDS COSTS INCURRED TO CONSTRUCT AND EQUIP A NEW PUBLIC SAFETY DISPATCH AND COMMUNICATIONS CENTER FOR THE CITY OF SAN ANTONIO**

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

AYES:   0   NOES:   0   ABSTENTIONS:   0  

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 said Board of Directors' minutes of said Meeting; the above and foregoing paragraph is a true, full and correct excerpt from said Board of Directors' minutes of said Meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Board of Directors as indicated therein; each of the officers and members of said Board of Directors 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 Texas Government Code, Chapter 551.

**SIGNED AND SEALED the 4<sup>th</sup> day of March, 2010.**

  
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Secretary  
City of San Antonio, Texas Municipal Facilities Corporation

