LOH 11/21/13
Item #48

CERTIFICATE FOR RESOLUTION

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 convened in REGULAR MEETING ON THE 21TH DAY OF NOVEMBER, 2013 at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Julián Castro, Mayor
Diego M. Bernal, Councilmember, District 1
Ivy R. Taylor, Councilmember, District 2
Rebecca J. Viagran, Councilmember, District 3
Rey Saldaña, 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
Carlton Soules, Councilmember District 10

all of said officers and members of said City Council were present, except the following absentees: NONE. Whereupon, among other business, the following was transacted at said Meeting: a written

RESOLUTION NO. 2013-11-21-_____

APPROVING THE ISSUANCE OF UP TO $50,000,000 IN PRINCIPAL AMOUNT OF "HIGHER EDUCATION REVENUE IMPROVEMENT BONDS" BY THE CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION FOR TRINITY UNIVERSITY, A TEXAS NONPROFIT CORPORATION, AND APPROVING OTHER MATTERS RELATED THERETO

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

AYES: 10 NOES: Ø ABSTENTIONS: 1

2. 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; the Resolution has been duly recorded in said City Council's minutes of said Meeting; the above and foregoing paragraph is a true, full and correct excerpt from said City Council's 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 City Council as indicated therein; 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 passage 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.

LOH 11/21/13
Item #48

SIGNED AND SEALED THE 21ST DAY NOVEMBER, 2013

City Clerk, City of San Antonio, Texas

(Seal)

Execution Page to Certificate for Resolution of the Governmental Unit
Relating to the City of San Antonio, Texas Education Facilities Corporation
Higher Education Revenue Improvement Bonds (Trinity University Project), Series 2014

LOH 11/21/13
Item #48

A RESOLUTION 2013-11-21-0041R

APPROVING THE ISSUANCE OF UP TO $50,000,000 IN PRINCIPAL AMOUNT OF "HIGHER EDUCATION REVENUE IMPROVEMENT BONDS" BY THE CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION FOR TRINITY UNIVERSITY, A TEXAS NONPROFIT CORPORATION, AND APPROVING OTHER MATTERS RELATED THERETO

* * * * *

WHEREAS, the **CITY OF SAN ANTONIO, TEXAS** (the "***City***"), pursuant to Section 53.35(b), Texas Education Code (now amended and recodified as Section 53A.35(b), Texas Education Code, as amended), approved and created the **CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION** (the "***Issuer***") as a nonprofit corporation to exercise the powers enumerated and provided in Chapter 53, Texas Education Code (now amended and recodified as Chapter 53A, Texas Education Code, as amended - the "***Act***"), for and on behalf of the City; and

WHEREAS, Section 53A.34 of the Act authorizes the Issuer to issue and execute revenue bonds or other obligations to loan or otherwise provide funds to an institution of higher education to enable an institution of higher education to acquire, construct, enlarge, extend, repair, renovate, or otherwise improve an "educational facility" or "housing facility" (as such terms are defined in the Act) or any facility incidental, subordinate, or related to or appropriate in connection with an educational facility or housing facility, or for acquiring land to be used for those purposes, or to create operating and debt service reserves for and to pay issuance costs related to the bonds or other obligations; and

WHEREAS, Section 53A.331 of the Act further authorizes the Issuer to refinance any educational facility or housing facility acquired, constructed, or improved; and

WHEREAS, the City has been informed by representatives of the Issuer that the Board of Directors of the Issuer has approved a resolution (the "***Bond Resolution***," a copy of which has been filed with the City) authorizing the issuance of a series of revenue bonds for the benefit of **TRINITY UNIVERSITY**, a Texas nonprofit corporation located in the City (the "***University***"), which bonds are further described as follows:

> **CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION HIGHER EDUCATION REVENUE IMPROVEMENT BONDS (TRINITY UNIVERSITY PROJECT), SERIES 2014**, in the aggregate principal amount not to exceed $50,000,000 (the "**Bonds**");

WHEREAS, representatives of the Issuer have assured the City that the Bonds will be payable solely from revenues derived by the Issuer from the University pursuant to provisions of the Bond Resolution and an Amended and Restated Loan Agreement, dated as of January 1, 2014, between the Issuer and the University, and other applicable documents being entered into by the Issuer in connection with the issuance of the Bonds, and the City will have no responsibility in any manner for the payment of the debt service requirements of the Bonds; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended, requires the City Council of the City (as the "applicable elected representative" of the "governmental unit" on behalf of which the Bonds are issued) to approve the issuance of the Bonds; and

WHEREAS, on November 7, 2013, a public hearing was held by a representative of the Issuer with respect to the aforementioned subject matter and notice of such public hearing was published in a newspaper of general circulation in the City at least 14 days prior to such public hearing; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was adopted 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; and

WHEREAS, it is hereby deemed necessary and advisable that this Resolution be adopted; *NOW THEREFORE:*

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. APPROVING THE ISSUANCE OF THE BONDS. In order to satisfy the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, the City hereby approves the issuance of the Bonds described above in the aggregate principal amount not to exceed $50,000,000 in order to obtain funds to pay costs of issuance and finance a portion of the costs to construct and equip certain science facilities generally known as the Center for Science and Innovation (CSI) complex located at the University's main campus.

SECTION 2. INCORPORATION OF RECITALS. The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

SECTION 3. EFFECTIVE DATE. Pursuant to Article II, Section 15 of the City's Charter, this Resolution shall become effective ten days following its passage.

LOH 11/21/13
Item No. 48

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AT A REGULAR MEETING ON THIS 21ST DAY OF NOVEMBER, 2013.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

(CITY SEAL)

APPROVED AS TO FORM:

Michael D. Bernard, City Attorney

** ** ** ** **

Signature Page to the Resolution of the Governmental Unit Relating to the
City of San Antonio, Texas Education Facilities Corporation
Higher Education Revenue Improvement Bonds (Trinity University Project), Series 2014

Agenda Item:	**48**
Date:	11/21/2013
Time:	12:17:05 PM
Vote Type:	Motion to Approve
Description:	A Resolution approving the refinancing of up to $50,000,000.00 in Higher Education Revenue Bonds by the City of San Antonio, Texas Education Facilities Corporation for Trinity University. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			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				
Carlton Soules	District 10		x				