

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF WEST UNIVERSITY PLACE, TEXAS

AGENDA OF:	January 5, 2009	AGENDA ITEM:	4
DATE SUBMITTED:	December 31, 2008	DEPARTMENT:	Administration
PREPARED BY:	Michael Ross, City Manager	PRESENTER:	Michael Ross, City Manager
SUBJECT:	Recreational Facilities Redevelopment Reimbursement Resolution		
ATTACHMENTS:	Reimbursement Resolution		
EXPENDITURE REQUIRED:	Up to \$13,800,000		
AMOUNT BUDGETED (approved by voters):	\$13,800,000		
ACCOUNT NO.:	N/A		
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
ACCOUNT NO.:	N/A		

EXECUTIVE SUMMARY

In order to immediately proceed with the Recreational Facility Redevelopment project's Council will need to authorize the use of General Fund Reserves. In order to give Council the ability of issuing voter approved debt at a later date to reimburse the use of these reserves, a resolution expressing intent to finance expenditures to be incurred has been prepared. This resolution does not commit Council to issuing debt, but will allow expenditures that are incurred prior to issuing the debt to be reimbursed by the proceeds of future debt transactions.

RECOMMENDATION

Staff recommends adopting the reimbursement resolution allowing the financing of Recreational Facility Redevelopment with the proceeds of tax-exempt bonds to be issued in the future.

Resolution Number 2009-_____

City of West University Place
Harris County, Texas

**RESOLUTION EXPRESSING INTENT TO
FINANCE EXPENDITURES TO BE INCURRED**

WHEREAS, the City of West University Place, Texas (the "City"), is a political subdivision of the State of Texas authorized to finance its activities by creating obligations, the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to Section 103 of the Internal Revenue of 1986, as amended (the "Code"); and

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the projects more specifically described in Exhibit A (the "Projects"); and

WHEREAS, the City desires to reimburse itself for the costs associated with the Projects from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and

WHEREAS, the City reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the Projects.

NOW, THEREFORE, be it resolved by the City Council of the City of West University Place, Texas that:

Section 1. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the Projects from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

Section 2. The City reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse itself for the costs associated with the Projects will not exceed \$13,800,000.

Section 3. The terms that are defined in the recitals to this Resolution are hereby adopted and incorporated in this Resolution.

Section 4. The City Council of the City ("City Council") hereby finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Resolution was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

PASSED AND APPROVED this 5th day of January, 2009.

Mayor, City of West University Place, Texas

ATTEST:

City Secretary, City of West University Place, Texas

(Seal)

REVIEWED:

City Attorney, City of West University Place, Texas

EXHIBIT A

Description of the Project

The Project will consist of purchasing, constructing, improving, replacing and repairing certain park and recreation facilities, to-wit: The West University Recreation Center, Colonial Park, the West University Community Building and the Senior Center, including aquatic facilities and improvements at Colonial Park and the West University Recreation Center, Reconstruction of the Recreation Center and Improvements to the athletic fields.