

RESOLUTION NO. 20130808-005

WHEREAS, the City of Austin, Texas (the "Issuer") owns, operates, and sets and establishes policies for the Austin-Bergstrom International Airport (the "Airport"); and

WHEREAS, the Issuer will make, or has made not more than 60 days prior to the date hereof, payments related to the Airport Terminal East Infill Project to construct additional east terminal security checkpoint facilities; expand and upgrade the United States Customs and Border Protection processing facilities, the baggage handling system, and Transportation Security Administration screening equipment; and construct new central receiving and loading dock facilities and utility infrastructure (the "Project"); and

WHEREAS, it is anticipated that the Issuer will authorize the financing of such improvements at the Airport, including obligations the interest on which is excluded from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Issuer has concluded that it does not currently desire to issue tax exempt obligations to finance the costs associated with the Project but has been induced to begin acquisition, construction, or rehabilitation of the Project; and

WHEREAS, the Issuer desires that it be reimbursed of the costs associated with the Project from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof by the Issuer; and

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse the Issuer for the costs associated with the Project; and

WHEREAS, the Issuer finds, considers, and declares that the reimbursement of the Issuer for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Project; **NOW, THEREFORE**,

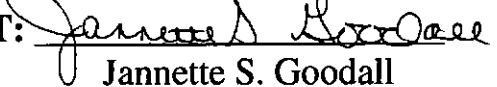
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Issuer reasonably expects to be reimbursed 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 acquisition, construction, reconstruction, or renovation of the Project from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and

The foregoing notwithstanding, no tax-exempt obligations will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid; and

The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer of the costs associated with the Project will not exceed \$62,250,000.

ADOPTED: August 8, 2013

ATTEST: 
Jannette S. Goodall
City Clerk