

RESOLUTION NO.

WHEREAS, the City of Austin (Issuer) is a home rule city authorized to issue obligations to finance its activities, 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 Code of 1986, as amended (the Code); and

WHEREAS, the Issuer intends to make on or after this date, or has made not more than 60 days before this date, approximately \$98,485,000 in expenditures related to projects to be funded by General Obligation Bonds approved by the voters in the November 2012 Special Municipal Election (collectively, GO Bond Projects); and

WHEREAS, the Issuer expects to make on or after this date, or has made not more than 60 days before this date, expenditures in the amount of approximately \$22,000,000 related to Erosion Control, \$2,500,000 for Lott Avenue Site Improvements, \$2,500,000 for the Remanufacturing Hub Project, and \$1,350,000 for the Resource Recovery Center to be funded by certificates of obligation or other tax exempt debt as lawfully appropriate (collectively, Certificate of Obligation Projects); and

WHEREAS, the Issuer intends to expend available moneys, including moneys on deposit in the Issuer's general fund, for these expenditures; and

WHEREAS, the Issuer has concluded that it does not currently desire to issue tax-exempt obligations to finance these expenditures; and

WHEREAS, the Issuer finds, considers and declares that the reimbursement of the payment by the Issuer of these expenditures will be appropriate and consistent with the lawful objectives of the Issuer and chooses to

declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations (Regulations), to reimburse itself for such payments at such time as it issues tax-exempt obligations; and

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself for capital expenditures made as described above; **NOW, THEREFORE**,

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

The Issuer reasonably expects to reimburse itself for capital expenditures with respect to the GO Bond Projects and Certificate of Obligation Projects paid with funds on hand from the proceeds of the sale of tax exempt obligations to be issued, and this resolution shall constitute a declaration of official intent under the Regulations. The maximum principal amount of the tax exempt obligations expected to be issued for the GO Projects is \$98,485,000 and for the Certificates of Obligation Projects is \$28,350,000.

ADOPTED: _____, 2013

ATTEST: _____
Jannette S. Goodall
City Clerk