

RESOLUTION NO. R-062722-4

EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED BY THE CITY OF PORT LAVACA, TEXAS

WHEREAS, the City of Port Lavaca, Texas (the "Issuer") is a home rule municipality and political subdivision of the State of Texas authorized to issue obligations to finance its activities pursuant to SUBCHAPTER C OF CHAPTER 271, TEXAS LOCAL GOVERNMENT CODE, and other provisions, 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 will make, or has made not more than 60 days prior to the date hereof, payments with respect to construction and improvements for the projects listed on Exhibit "A" attached hereto; and

WHEREAS, the Issuer desires to reimburse itself for the costs associated with the projects listed on Exhibit "A" attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and,

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the projects listed on Exhibit "A" attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, THAT:

Section 1. The Issuer 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 construction and improvements for the projects listed on Exhibit "A" attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

Section 2. This Resolution is also made to evidence the intent of the Issuer to make such reimbursements under Treas. Reg. Section 1.150-2 and Section 1201.042, Texas Government Code.

Section 3. The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer for the costs associated with the projects listed on Exhibit "A" attached hereto will not exceed \$7,500,000.

Section 4. The Issuer intends to reimburse the expenditures hereunder not later than 18 months after the later of the date the original expenditure is paid or the date the projects are placed in service or abandoned, but in no event more than three years after

the original expenditure is paid unless the projects are a construction project for which the Issuer and a licensed architect or engineer have certified on Exhibit "A" that at least five years are necessary to complete the project in which event the maximum reimbursement period is five years after the date of the original expenditure.

[The remainder of this page is intentionally left blank.]

PASSED AND APPROVED this 27th day of June, 2022.

CITY OF PORT LAVACA, TEXAS

By: _____
Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

[CITY SEAL]

EXHIBIT “A”

DESCRIPTION OF PROJECT

Construction of streets and drainage, including utility relocation;

Water and sewer system improvements; and

Construction of shoreline protection/remediation projects.

Such financing to be in an amount not to exceed \$7,500,000 from the General Fund of the City of Port Lavaca, Texas.