

BUDGET

WORKSHOP MEETINGS

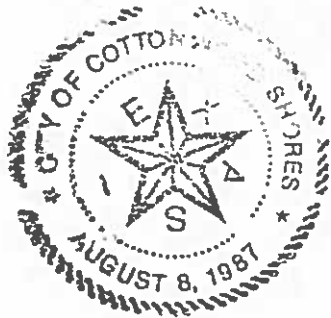
CITY COUNCIL OF COTTONWOOD SHORES
3915 COTTONWOOD DRIVE
6:00 P.M.

SEPTEMBER 7~~8~~ 1999

AGENDA

THE CITY COUNCIL WILL WORK ON THE BUDGET
ESTIMATE FOR
FY 1999-2000

I CERTIFY THAT THE ABOVE NOTICE WAS POSTED AT CITY HALL, 3915
COTTONWOOD DRIVE, COTTONWOOD SHORES, AT 11:00 AM ON THIS 1ST DAY
OF SEPTEMBER, 1999.




DALE PICKENS, MAYOR

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COTTONWOOD SHORES, APPROVING THE LEASE-PURCHASE AND FINANCING OF A GENERAL ADMINISTRATION OFFICE BUILDING; APPROVING AND DIRECTING THE EXECUTION AND DELIVERY OF THE LEASE-PURCHASE AGREEMENT, ESCROW AGREEMENT, FINANCING STATEMENTS, AND CERTIFICATES; MAKING FINDINGS AND GRANTS; AND RESOLVING OTHER MATTERS.

WHEREAS, the City Commission (the "Commission") of the City of Cottonwood Shores, Texas (the "City") finds that the purchase, acquisition and financing of that certain property in Burnet County, Texas, together with all improvements thereon, more particularly described as Lots Ninety-Seven (97), Ninety-Eight (98) and Ninety-Nine (99), Scarlet Oaks, a subdivision in the City of Cottonwood Shores, Burnet County, Texas according to the map or plat of record in Volume 1, Page 184, Plat Records of Burnet County, Texas, as a general administration office building (the "Building") is necessary to the public business of the City and to preserve and protect the public health, safety and welfare of the citizens of the City;

WHEREAS, the Commission finds and determines that the purchase, acquisition, use and occupancy of the Building is essential to the public business, duties and statutory responsibilities of the City; and

WHEREAS, the Commission and Frank L. Thompson the sole Trustee of the Thompson Living Trust (the "Trust") have negotiated the purchase and the lease-purchase financing of the Building for a price and on terms found satisfactory by the Commission and the Trust;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:

Section 1. Findings. The recitations hereinabove are found to be true and correct, are incorporated herein as findings of fact.

Section 2. Acquisition of Facility. The Commission hereby approves the Trust assisting the City to obtain the purchase, acquisition and financing of the Building, and all previous actions by the Commission, the City and the Trust with respect to the purchase, acquisition, financing, and lease of the Building, are hereby authorized, confirmed, ratified and approved.

Section 3. Approval of the Lease. The Lease-Purchase Agreement, between the Trust, as Lessor, and the City, as Lessee, in the form attached hereto and made a part hereof (the "Lease"), is hereby approved, confirmed and ratified and the Mayor is hereby authorized and directed to execute and deliver the Lease for and on behalf of the City.

Section 4. Approval of Documents. The Lease, the Escrow Agreement Relating to the City of Cottonwood Shores General Administration Building, Financing Statements, and

other financing documents, spread on the minutes of this meeting are hereby approved and the Mayor is hereby authorized and directed to execute and deliver such documents and to do all things necessary or advisable and in the best interests of the City in connection with the consummation of the transaction described therein.

Section 5. Authority of Mayor. The Mayor is hereby authorized to (a) sign, execute, certify, verify, acknowledge, deliver, accept, file and record any and all instruments and documents, and (b) take, or cause to be taken, any and all such action, in the name and on behalf of the City or otherwise, as in the Mayor's judgment is advisable, prudent, appropriate and consistent with this Resolution to consummate the transactions contemplated by or otherwise to effect the purposes of the foregoing documents including the approval of changes to the wording and language of the attached documents as may be reasonably required; provided that this Resolution shall never be interpreted as creating, and the Commission is not authorized to create, any debt or liability of the City; and provided that, notwithstanding any term or provision herein or in the attached exhibits and documents to the contrary, the City shall not be responsible for the payment of any principal, interest or Rental Payments due or to become due with respect to the Lease, or the attached exhibits and documents, nor any other expense, fee, sum or amount except as appropriated therefor by the City Commission.

Section 6. Ratification of Actions. All actions taken and things done heretofore by the members of the Commission, pursuant to their official authority, with respect to the transaction contemplated hereby, be and the same are hereby ratified, approved and adopted as the acts of the Commission.

Section 7. Lease as Special Obligation. The Lease shall be a special obligation of the City payable solely as set forth therein, and neither the Trust, nor any assignees or successors of the Trust, shall ever have the right to demand payment thereof out of funds raised or to be raised by taxation.

Section 8. Designation as Qualified Tax-Exempt Obligation. The Commission hereby designates the Lease as a "qualified tax-exempt obligation" as defined in the Internal Revenue Code of 1986, as amended (the "Code").

Section 9. Further Procedures. The appropriate officers, employees, agents and representatives of the Commission shall be and are hereby expressly authorized, empowered and directed, from time to time, to do and perform all such acts and things and to execute, acknowledge and deliver in the name of and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution and of the Lease.

Section 10. Effective Date. This Resolution shall be in force and effect from and after its passage on the date shown below.

Section 11. Open Meetings. It is hereby officially found and determined that this meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Open Meetings Act, Chapter 551, Texas Government Code.

ADOPTED AND PASSED this the 1st day of September 1999.

City of Cottonwood Shores, Texas



Dale Pickens, Mayor

Attest:



Tammy Proctor, Acting City Secretary