

RESOLUTION No. 22-47

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUGAR LAND, TEXAS, EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED

THE STATE OF TEXAS §
CITY OF SUGAR LAND §

WHEREAS, the City of Sugar Land, Texas (the “City”), is a home rule city of the State of Texas, authorized to finance its activities by issuing obligations pursuant to the Texas Government Code and Texas Local Government Code, which may include 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, and will continue to make payments with respect to the projects listed on Exhibit A attached hereto (the “Financed Facilities and Improvements”); and

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations in one or more series and pursuant to different state law provisions to reimburse itself for the costs associated with the Financed Facilities and Improvements; and

WHEREAS, the City desires to reimburse itself for the costs associated with the Financed Facilities and Improvements from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and

NOW, THEREFORE, be it resolved that:

Section 1. The City hereby declares its intent to reimburse itself for all costs paid within the last 60 days and that will be paid subsequent to the date hereof in connection with the acquisition of the Financed Facilities and Improvements from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof. The City intends that the adoption of this Resolution confirms and constitutes the “official intent” of the City with respect to the Financed Facilities and Improvements within the meaning of Treas. Reg. § 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

Section 2. Each expenditure to be reimbursed pursuant to this Resolution was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to capital account under general federal income tax principles (determined as of the date of the expenditure) or (b) a cost of issuance with respect to bonds issued for the Financed Facilities and Improvements.

Section 3. The City intends to make a reimbursement allocation, which is a written allocation by the City that evidences the City’s use of proceeds of bonds issued for the Financed Facilities and Improvements to reimburse an expenditure, no later than 18 months after the later of the date on which the expenditure is paid or the applicable portion of the Financed Facilities and Improvements are placed in service or abandoned, but in no event more than three years after the date on which the expenditure is paid, subject to exceptions available under Treas. Reg. §

1.150-2(f) for certain “preliminary expenditures,” costs of issuance, and certain *de minimis* amounts.

Section 4. The City reasonably expects that the maximum principal amount of tax-Exempt obligations issued by the City to finance costs associated with the Financed Facilities and Improvements in one or more issues listed on Exhibit A and other improvements attached hereto will not exceed \$50,000,000.

Section 5. This Resolution will be kept in the books and records maintained by the City with respect to the tax-Exempt obligations.

PASSED AND APPROVED this ____ day of _____, 2022.

CITY OF SUGAR LAND, TEXAS

By: _____
Mayor

ATTEST:

City Secretary

(SEAL)

APPROVED AS TO LEGALITY:

/s/ Thomas A. Sage

Bond Attorney
HUNTON ANDREWS KURTH LLP

EXHIBIT A

Financed Facilities and Improvements

Item or Fund - - Described by Character, Type or Purpose

The acquisition, construction, furnishing, equipment, repair, renovation, expansion, and improvement of facilities and infrastructure in the City, including, but not limited to:

Waterworks and Sewer System: For the study, design, acquisition, improvement, rehabilitation, extension, and equipment of the City's waterworks and sewer system collection system, including:

Project #	PROJECT NAME	Amount
CSW2301	Telfair Raw Water Pump Station	\$ 260,000
CWW2301	Lift Station 48 (MUD 136 Reg. LS#1)	650,000
CWW2302	Lift Station Rehabilitation	1,050,000
CWW2303	Wastewater Treatment Plants Improvements	1,500,000
CWW2304	Collection System Rehabilitation Program	300,000
CWW2305	North WWTP Improvements	800,000
CWW2306	Regional WW Siting and Distribution Plan	225,000
CWW2307	Flow Monitoring and WW Modeling Study	600,000
CWW2308	Evaluation of Greatwood WWTP Rehabilitation Alternatives	100,000
CWW2310	Lift Station Bypass Pump Assessment	250,000
CWW2311	Lift Station Odor Control Study and PER	150,000
CWW2312	South WWTP Odor Control System Design and Construction	900,000
CWA2210	Advanced Metering Infrastructure (AMI)	2,000,000
CWA2301	Distribution System Water Main Rehabilitation Program	2,800,000
CWA2302	Ground Storage Tank Rehabilitation	1,200,000
CWA2303	SCADA Improvements	304,000
CWA2304	Ground Water Plant Rehabilitation	2,160,000
CWA2305	Well Rehabilitation	870,000
CWA2306	Regional W Facility Siting and Conveyance Study	185,000
CWA2307	Greatwood and RiverPark Water System Capacity Impr Evaluation	200,000
	Total Revenue Bonds	\$ 16,504,000

Airport: For the construction and relocation of airport taxiways and runway design, including:

Project #	PROJECT NAME	Amount
CAP1201	Parallel Taxiway Relocation & Hangars ALD#4 and ALD#11	\$ 2,295,211
CAP2301	Runway Design	1,265,000
	TOTAL - CERTIFICATES OF OBLIGATION/AIRPORT	\$ 3,560,211

General Obligation: For the study, design, acquisition, rehabilitation, extension, and equipment of drainage improvements, including the acquisition of land and rights-of-way for such purposes, and for the study, design, construction, acquisition, equipment, repair, and rehabilitation of streets, thoroughfares, and intersections, including:

Project #	PROJECT NAME	Amount
CMU1908	Animal Shelter	\$250,000
CMU2202	Public Safety & Public Services Building Rehabilitation	1,000,000
CMU2204	Public Safety Training Facility- Phase II	9,000,000
CMU2301	Emergency Operations Center/Public Safety Dispatch Building	1,500,000
CDR2102	Sugar Creek Drainage Improvements - Montclair Drive	4,300,000
CDR2107	Avalon/Brazos Landing/Commonwealth Drainage Impr Phase II	6,780,000
CST2102	University Blvd. Widening- Mobility Bond Project	1,500,000
CST2201	Major Street Rehabilitation	3,000,000
CST2401	Country Club Blvd Improvements from Sugar Creek to Chesterfield	1,700,000
	TOTAL - GO BONDS FY23	\$29,030,000