

**Resolution 2023-R-82**

***Resolution Authorizing Reimbursement to the City as a portion of the proceeds of the 2023 Obligations for expenses incurred in connection with the 2023 Improvements***

**BE IT RESOLVED** by the City Council (the "Council") of the City of Irondale, Alabama (the "City"), as follows:

**Section 1. Findings.** The Council hereby finds that the following facts are true and correct:

(a) it is necessary, desirable, and in the public interest that the City finance the costs of acquiring and improving various parcels of real property (the "2023 Land") and designing, developing, constructing, acquiring, installing, and equipping (i) various public facilities and buildings including, without limitation, a new civic center facility, a municipal complex containing police operations and other municipal operations of the City, a fire station and public safety training facility, a public library, a facility for the public works department of the City, and a facility for water or other utility operations of the City (the "2023 Facility Improvements"), (ii) public park and similar improvement including, without limitation, a dog park and renovations to Ruffner Park within the City (the "2023 Public Park Improvements"), and (iii) various other public utility, infrastructure, roadway, parking and public assets of the City (together with the 2023 Land, the 2023 Facility Improvements, and the 2023 Public Park Improvements, the "2023 Improvements");

(b) the City intends to pay the costs of the 2023 Improvements through a plan of finance (the "Plan of Finance") that includes (i) the City issuing one or more series of tax-exempt general obligation warrants secured by and payable from a pledge of the full faith and credit of the City (the "2023 Warrants"), and/or (ii) one or more series of tax-exempt bonds issued by a municipal public building authority or another public corporation created by the City (an "Authority"), which such bonds would be secured by and payable from funds paid by the City to the Authority under a lease agreement, a loan agreement, or other similar agreement between the City and such Authority (the "2023 Bonds");

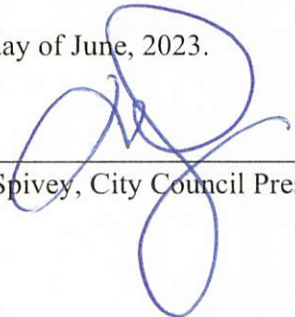
(c) the City expects that the 2023 Warrants and the 2023 Bonds (collectively, the "2023 Obligations") will aggregate not more than \$50,000,000 in initial principal amount;

(d) the structure and nature of the 2023 Bonds, if issued, would cause the City to be a conduit borrower as respects 2023 Bonds that may be issued as part of the Plan of Finance for purposes of the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150 2(e) promulgated thereunder; and

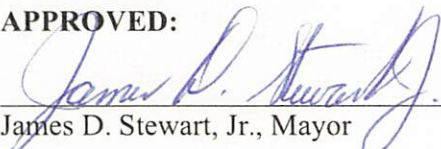
(e) the City expects to incur certain costs to be paid out of its General Fund (the main operating fund of the City) and out of its Capital Projects Fund the primary fund established by the City to pay for the acquisition, construction and improvement of capital assets) in connection with the acquisition and improvement of 2023 Land and the acquisition, design, development, construction, installation, and equipping of 2023 Improvements prior to the issuance of the 2023 Obligations, and it is intended that proceeds of the 2023 Obligations be allocated to reimburse the City for certain of the costs incurred in connection with acquiring and improving the 2023 Land and with acquiring, designing, developing, constructing, installing and equipping 2023 Improvements paid prior to the issuance of the 2023 Obligations.

**Section 2. Declaration of Official Intent.** The City does hereby declare its intention that there be allocated a portion of the proceeds of the 2023 Obligations to reimburse the City for expenditures incurred after the date that is no more than sixty (60) days prior to the date of the adoption of this resolution, but prior to the issuance of the 2023 Obligations, in connection with the acquisition and improvement of the 2023 Land and the acquisition, design, development, construction, installation and equipping of the 2023 Improvements. This resolution is being adopted pursuant to the requirements of the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2(e) promulgated thereunder.

**ADOPTED & APPROVED:** This the 20<sup>th</sup> day of June, 2023.

  
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David Spivey, City Council President

**APPROVED:**

  
\_\_\_\_\_  
James D. Stewart, Jr., Mayor

**ATTESTED:**

  
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Leigh Ann Allison, City Clerk

**CERTIFICATION**

I, Leigh Ann Allison, the City Clerk of the City of Irondale, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Irondale at its regular meeting held on the 20th day of June 2023, as the same appears in the minutes of record of said meeting.

  
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Leigh Ann Allison, City Clerk