

A RESOLUTION BY FINANCE/EXECUTIVE COMMITTEE OF THE CITY OF ATLANTA, GEORGIA, EXPRESSING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM BORROWED PROCEEDS FOR PURPOSES OF COMPLIANCE WITH TREASURY REGULATION SECTION 1.150-2 OF THE INTERNAL REVENUE CODE, WITH RESPECT TO THE CONSTRUCTION, RECONSTRUCTION AND REPAIRS OF CERTAIN CITY OF ATLANTA INFRASTRUCTURE IMPROVEMENTS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Workflow List:

Charlene Parker	Completed	07/17/2014 10:01 AM
Jim Beard	Completed	07/17/2014 2:20 PM
Finance	Completed	07/17/2014 3:19 PM
Mayor's Office	Completed	07/17/2014 4:49 PM
Office of Research and Policy Analysis	Completed	07/22/2014 5:23 PM
Finance/Executive Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY - BLUE BACK

A RESOLUTION BY FINANCE/EXECUTIVE COMMITTEE OF THE CITY OF ATLANTA, GEORGIA, EXPRESSING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM BORROWED PROCEEDS FOR PURPOSES OF COMPLIANCE WITH TREASURY REGULATION SECTION 1.150-2 OF THE INTERNAL REVENUE CODE, WITH RESPECT TO THE CONSTRUCTION, RECONSTRUCTION AND REPAIRS OF CERTAIN CITY OF ATLANTA INFRASTRUCTURE IMPROVEMENTS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, Georgia (the “City”), intends to finance the costs of certain infrastructure improvements throughout Atlanta, including, but not limited to necessary equipment, the construction and/or repairs of bridges, streets, sidewalks, public buildings, trails and other City infrastructure (collectively, the “Project”); and

WHEREAS, the City expects to advance its own funds to pay expenditures related to the Project prior to incurring indebtedness and to receive reimbursement for such expenditures from proceeds of tax-exempt obligations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA HEREBY RESOLVES, that the City intends to utilize the proceeds of tax-exempt obligations or to incur other debt (the “Obligations”), to pay the costs of the Project in an amount not currently expected to exceed Two Hundred and Fifty Million Dollars (\$250,000,000.00).

BE IT FURTHER RESOLVED, that the City intends that the proceeds of the Obligations be used to reimburse the City for certain expenditures with respect to the Project (the “Expenditures”) made after the date which is 60 days prior to the date of this Resolution. The City reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligations or other debt.

BE IT FURTHER RESOLVED, that each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the City so long as the grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City.

BE IT FURTHER RESOLVED, that 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 the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for costs of issuance, certain *de minimis* amounts, expenditures for long-term construction projects for which both the City and a licensed architect or engineer certify that at least 5 years is necessary to complete the construction and certain “preliminary expenditures” including amounts up to, but not in excess of 20% of the issue or issues which finance or are reasonably expected to finance the project. Preliminary expenditures may include architectural, engineering, surveying, soil testing, reimbursement bond issuance and similar costs that are incurred prior to the commencement of the acquisition, construction or rehabilitation of the project, other than land acquisition, site preparation, and similar cost incident to the commencement of construction.

BE IT FURTHER RESOLVED, that the City intends that the adoption of this Resolution confirms the “official intent” within the meaning of Treasury Regulation Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

BE IT FINALLY RESOLVED, that this Resolution shall take effect upon adoption of the Atlanta City Council and approval of the Mayor.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Charlene Parker

Contact Number: 404-330-6616

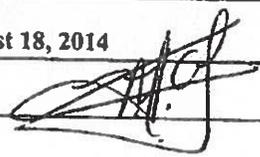
Originating Department: Finance

Committee(s) of Purview: Finance/Executive Committee

Chief of Staff Deadline: July 11, 2014

Anticipated Committee Meeting Date(s): July 30, 2014

Anticipated Full Council Date: August 18, 2014

Legislative Counsel's Signature: 

Commissioner's Signature: 

Chief Financial Officer: 

Chief Information Officer Signature (for IT Procurements) N/A

Chief Procurement Officer Signature: N/A

CAPTION

**A RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

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FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: _____ (date) Received by LC from CPO:  (date)

Received by Mayor's Office:  7-11-14 (date) Reviewed by: _____ (date)

Submitted to Council: _____ (date)

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