

A RESOLUTION
2004-32-26

ESTABLISHING THE INITIAL BORROWING AUTHORITY OF THE BROOKS DEVELOPMENT AUTHORITY ("BDA") AT \$30 MILLION AND DEFINING THE DEBT INSTRUMENTS BDA CAN UTILIZE IN BORROWING FUNDS TO PROMOTE ECONOMIC DEVELOPMENT AND THE CREATION OF NEW JOBS AT BROOKS CITY-BASE.

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WHEREAS, the Brooks Development Authority ("BDA"), is a political subdivision of the State of Texas, formed by the City Council of the City of San Antonio, Texas (the "City Council") under Chapter 379B of the Texas Local Government Code (the "Act"), as amended; and

WHEREAS, the Act authorizes BDA to borrow money or issue bonds in an amount not to exceed the maximum amount established by the governing body of the municipality which created it; and

WHEREAS, the BDA has requested that City Council establish its maximum borrowing capacity at \$30,000,000.00 and allow it to incur debts up to that amount through private bank loans, revolving lines of credit through financial institutions, and other institutional loans as approved by its Board of Directors and loans from the City of San Antonio and State of Texas agencies, the issuance of its own general obligation bonds, and HUD Section 108 loans with the approval of City Council; and

WHEREAS, the purpose of obtaining such loans is to provide capital for the construction of facilities and infrastructure improvements to promote the economic development and creation of new jobs at Brooks City-Base; and

WHEREAS, the City Council recognizes the BDA's need for financial flexibility to plan and create a sound financial structure to accomplish its development plans for Brooks City-Base; and

WHEREAS, the BDA is responsible for meeting the underwriting standards applied by lenders to any borrower to obtain any loan and is required to meet its own financial obligations from its operational revenue; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION I. As required by Section 379B.004 of Chapter 379B of the Texas Local Government Code (the "Act"), as amended, the maximum amount of money which the Brooks Development Authority ("BDA") may borrow under the Act is hereby set by the City Council at the combined maximum amount of \$30,000,000.00 subject to the terms and conditions of the respective loans as contained in the related loan instruments. BDA may borrow funds up to this maximum amount using the following debt instruments: private bank loans, revolving lines of credit through financial institutions, and other institutional loans as approved by its Board of

Directors; loans from the City of San Antonio and State of Texas agencies, general obligation bonds, and HUD Section 108 loans as approved by the City Council of the City of San Antonio.

SECTION 2. The City hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City hereby incorporates such recitals as a part of this Resolution.

SECTION 3. This Resolution shall become effective ten (10) days following its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS AT A REGULAR MEETING ON THIS 9th DAY OF SEPTEMBER, 2004.



M A Y O R
EDWARD D. GARZA

ATTEST: *Leticia N. Lopez*
City Clerk

APPROVED AS TO FORM:

Mr. Zetuche
for City Attorney