

AN ORDINANCE **100549**

COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12, INCLUDING THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE OF APPROXIMATELY \$60,000,000 CITY OF SAN ANTONIO, TEXAS MUNICIPAL DRAINAGE UTILITY SYSTEM BONDS, SERIES 2005; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS, AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH BONDS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to authority conferred by Subchapter C of Chapter 402 of the Texas Local Government Code, as amended (the "Act") Ordinance No. 86711 adopted on September 25, 1997 by the City Council (the "City Council") of the City of San Antonio, Texas (the "City"), which established the City of San Antonio Municipal Drainage Utility (the "System") within the municipal boundaries and unincorporated extraterritorial jurisdiction of the City; and

WHEREAS, the City Council hereby deems it necessary and desirable to issue and deliver additional bonds secured with the "Revenues" of the System pursuant to the applicable laws of the State of Texas, including the Act, to be designated City of San Antonio, Texas, Municipal Drainage Utility System Revenue Bonds, Series 2005 (the "Bonds") in the approximate principal amount set forth in Exhibit A, to finance the costs of drainage improvements, including the acquisition, construction, and repair of structures, equipment, and facilities for the City's System and to pay the costs of issuance of the Bonds; and

WHEREAS, Securities and Exchange Commission Rule 15c2-12, codified at 17 C.F.R. §240.15c2-12 ("Rule 15c2-12"), requires that the Preliminary Official Statement prepared and distributed in connection with the issuance of the Bonds be "deemed final" as of its date by the City pursuant to the provisions of Rule 15c2-12; and

WHEREAS, such Preliminary Official Statement has been reviewed by the City Council and representatives of the City's staff; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS THAT:

SECTION 1. APPROVAL OF FORM OF PRELIMINARY OFFICIAL STATEMENT. The form and content of the Preliminary Official Statement, attached hereto as Exhibit A, in connection with the issuance and sale of the Bonds is hereby approved.

SECTION 2. PRELIMINARY OFFICIAL STATEMENT DEEMED FINAL. The Preliminary Official Statement referenced above and relating to the proposed sale of the Bonds is hereby "deemed final" as of its date (subject to the permissible omissions described in Rule 15c2-12) within the meaning of the provision of 17 C.F.R. §240.15c2-12(b)(1).

SECTION 3. AUTHORITY TO PRINT AND DISTRIBUTE THE PRELIMINARY OFFICIAL STATEMENT. The City Manager, the Director of Finance of the City, and the City's Co-Financial Advisors (Coastal Securities and Estrada Hinojosa & Company, Inc.), Co-Bond Counsel (Vinson & Elkins L.L.P. and Loeffler Tuggey Pauerstein Rosenthal LLP) and the Underwriters in connection with the issuance of Bonds are authorized to take all actions deemed necessary in connection with preparing for the sale of the Bonds, including but not limited to approving all changes deemed necessary to the Preliminary Official Statement and to print and distribute such Preliminary Official Statement to potential purchasers.

SECTION 4. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City hereby incorporates such recitals as a part of this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective ten days following its passage.

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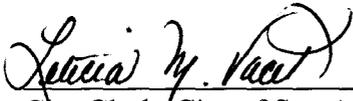
03/10/05
#33

PASSED AND APPROVED THIS 10th DAY OF MARCH 2005.



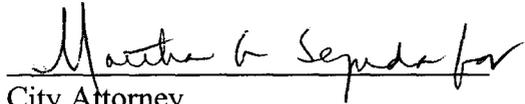
MAYOR
Edward D. Garza

ATTEST:



City Clerk, City of San Antonio, Texas

APPROVED AS TO FORM:



City Attorney

Agenda Voting Results

Name: 33.

Date: 03/10/05

Time: 04:22:03 PM

Vote Type: Multiple selection

Description: An Ordinance complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12, including the approval and distribution of a Preliminary Official Statement pertaining to the issuance of approximately \$60,000,000.00 "City of San Antonio, Texas Municipal Drainage Utility System Bonds, Series 2005"; authorizing the City's staff, co-financial advisors, and co-bond counsel to take all actions deemed necessary in connection with the sale of such obligations; and providing for an effective date. [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3	Not present			
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		