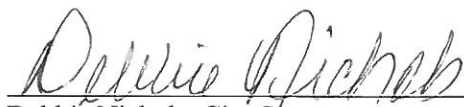


Special Meeting
Ladonia City Council
Monday, March 28, 2016
6:00 P.M. at Ladonia City Hall

MINUTES

- I. The meeting was called to order at 6:00 pm by Mayor Pro Tem Discha Threlkeld and a quorum was established.
- II. Roll Call
Members present: Todd Akers, Cheryl Seilhan, Janice Sterling, Dana Cuba, Discha Threlkeld
Members absent: Chris Burch
- III. New Business
A. Consideration of Ordinance 2016-03-28, authorizing the execution of Public Property Finance Contract No. 7328 for equipment as set out therein, and levying a tax in payment thereof, and take necessary action.
- Motion was made by Cheryl Seilhan and seconded by Todd Akers to adopt Ordinance 2016-03-28, authorizing the execution of Public Property Finance Contract No. 7328 for equipment as set out therein, and levying a tax in payment thereof. Vote 5-0
- IV. The meeting was adjourned at 6:02 p.m.



Debbie Nichols, City Secretary

Chris Burch, Mayor

OR



Discha Threlkeld, Mayor Pro Tem

COPY

ORDINANCE NO. 2016-03-28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LADONIA, TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCE CONTRACT FOR THE ACQUISITION OF CERTAIN EQUIPMENT, LEVYING A TAX IN PAYMENT THEREOF, AND ENACTING OTHER PROVISIONS RELATED THERETO

WHEREAS, the City is authorized, pursuant to the Public Property Finance Act, Chapter 271, Subchapter A, Local Government Code, as amended (the "Act"), to execute, perform and make payments under a contract for the acquisition of personal property for authorized municipal purposes, or the financing thereof;

WHEREAS, this City Council has found and determined that it is necessary and in the best interests of the City to acquire equipment (the "Equipment") as described on Schedule I attached hereto;

WHEREAS, Government Capital Corporation, a Texas corporation (GCC), has offered to provide financing for the acquisition of the Equipment; and

WHEREAS, this City Council has found and determined that it is in the best interests of the City to finance the acquisition of the Equipment through the execution and delivery of a finance contract with the GCC. Now, therefor

BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LADONIA, TEXAS:

Section 1. Authorization.

(a) The terms and provisions of the Public Property Finance Contract No. 7328 substantially in the form presented at this meeting, are hereby approved and said Finance Contract is hereby authorized to be executed and delivered in accordance with the Constitution and laws of the State of Texas, including particularly the Act. The Mayor or Mayor Pro Tem and City Secretary are hereby authorized and directed to execute and attest, respectively, the Finance Contract.

(b) All officers of the City are authorized to take such actions and to execute such documents, certificates and receipts as they may deem necessary and appropriate in order to consummate the delivery of the Finance Contract.

Section 2. Tax Levy for Payment of the Contract Payments.

(a) In order to provide for the payment of the Contract Payments, being (I) the interest on the outstanding Principal Amount and (ii) a sinking fund for payment of the installment amounts of the Principal Amount as they become due or a sinking fund of two percent per annum (whichever amount is the greater), there is hereby levied for the current year and each succeeding year thereafter, while the Principal Amount or interest thereon remains outstanding and unpaid, a tax within legal limitations on each \$100 valuation of taxable property in the City that is sufficient to pay such Contract Payments, full allowance being made for delinquencies and costs of collection.

(b) The tax levied by this Section shall be assessed and collected each year and applied to the payment of the Contract Payments, and the tax shall not be diverted to any other purpose.

(c) Said ad valorem tax, the collections therefrom, and all amounts on deposit in or required hereby to be deposited to the Interest and Sinking Fund are hereby pledged and committed irrevocably to the payment of the Contract Payments when and as due and payable in accordance with the Finance Contract and this Ordinance.

(d) To the extent the City has available funds which may be lawfully used to pay the Contract Payments and such funds are on deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for the payment of the Contract Payments, then the amount of ad valorem taxes which otherwise would be required to be levied pursuant to subsection (a) of this Section may be reduced to the extent and by the amount of such funds then on deposit in the Interest and Sinking Fund.

Section 3. Effective Date

That this Ordinance shall take effect immediately upon its adoption and execution by the City of the Public Property Finance Contract as referenced herein, and it is so Ordered.

PASSED, APPROVED AND EFFECTIVE this 28th March, 2016

Dixie Imelkeld
Mayor or Mayor Pro Tem, City of Ladonia, Texas

ATTEST:

Dulcie Nichols
City Secretary, City of Ladonia, Texas

[CITY SEAL]

SCHEDULE I

Equipment to be Financed

Water Pump(s), Above Ground Storage Tank
And related equipment