

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR PARKING METER EQUIPMENT, A LEASE SCHEDULE, A LEASE SCHEDULE ADDENDUM REGARDING SELF INSURANCE, SCHEDULE A-1, A PREPAYMENT SCHEDULE ADDENDUM, A CERTIFICATE OF INCUMBENCY, A PROCEEDS DISBURSEMENT AUTHORIZATION AND RELATED INSTRUMENTS AND OTHER DOCUMENTS IN CONNECTION THEREWITH

WHEREAS, the City of Pasadena is a municipal corporation and charter city according to the laws of the State of California (the "State"), duly organized, existing and operating under the Constitution and laws of the State; and

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Lessee; and

WHEREAS, the Governing Body hereby finds and determines that the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding the amount of \$112,924.00 ("Principal Amount") for the purpose of acquiring the property generally described below ("Property") and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee; and

Brief Description of Property: See Attached Schedule A-1

WHEREAS, JP Morgan Chase Bank, N.A. ("Lessor") is expected to act as the lessor under the Equipment Leases; and

WHEREAS, the Lessee may pay certain capital expenditures in connection with the Property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount; and

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

SECTION 1. Either one of the Director of Finance or the City Manager (each an “Authorized Representative”) acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

SECTION 2. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

SECTION 3. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

SECTION 4. The Lessee’s obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee’s obligations under the Equipment Leases shall not constitute a general obligation of the Lessee or indebtedness under the Constitution or laws of the State.

SECTION 5. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee’s official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

SECTION 6. This Resolution shall take effect upon its adoption and approval.

ADOPTED at a regular meeting of the City Council on this ____ day of July, 2015.

AYES:

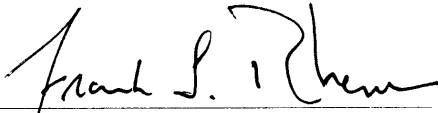
NOES:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM:

ATTEST:



Frank L. Rhemrev
~~Assistant~~ City Attorney

Mark Jomsky, CMC
City Clerk



SCHEDULE A-1
(Equipment List)

Equipment Purchase Price: \$112,924.00

Net Amount Financed: \$112,924.00

Equipment Location: Department of Transportation
221 East Walnut Street, Room 199
Pasadena, CA 91101

Equipment Description:

(14) Cale Web Terminal Park and Display, Pay by Space and Pay by Plate parking meters with motion activated light bars. Meter, Compact CWT-S2
Serial Number/s: B0010F014064, B0010F014080, B0010F014081, B0010F014078, B0010F014079, B0010F014077, B0010F013975, B0010F013071, B0010F013978, B0010F013977, B0010F013974, B0010F013976, B0010F013988, B0010F013987

TOGETHER WITH ALL ATTACHMENTS, ADDITIONS, ACCESSIONS, PARTS, REPAIRS, IMPROVEMENTS, REPLACEMENTS AND SUBSTITUTIONS THERETO.

This Schedule A-1 is attached to the Lease Schedule 1000140278 or a Receipt Certificate/Payment Request relating to the Lease Schedule.

CITY OF PASADENA

(Lessee)

JPMORGAN CHASE BANK, N.A

(Lessor)

By: _____

By: _____

Title: _____

Title: Authorized Officer