

# CITY OF WILLOW PARK

## RESOLUTION NO. 18-12

**A RESOLUTION PROVIDING AUTHORIZATION FOR THE CITY OF WILLOW PARK, TEXAS TO ENTER INTO AND EXECUTE A FINANCING AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION FOR CERTAIN BUSINESS PERSONAL PROPERTY (POLICE VEHICLES) NECESSARY, USEFUL OR APPROPRIATE TO THE OPERATION OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

**WHEREAS**, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

**WHEREAS**, the municipal offices of the City perform certain functions related to the preservation of order, health, prosperity and welfare of its citizens; and

**WHEREAS**, the City previously authorized a cooperative purchasing agreement with the Houston-Galveston Area Council of Governments (HGAC) by Resolution No. 10-08 adopted by the City Council September 15, 2008; and

**WHEREAS**, pursuant to a Cooperative Purchasing Program, the City will identify certain business personality that may be acquired pursuant to the provisions of Chapter 252, TEX. LOCAL GOV'T CODE; and

**WHEREAS**, Government Capital Corporation has agreed to finance the acquisition of the business personal property to wit police vehicles with added equipment for use by the Willow Park Police Department through a Finance Contract; and

**WHEREAS**, the City is authorized, pursuant to §271.005, TEX. LOCAL GOV'T CODE to enter into a Finance Contract for business personal property.

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:**

### SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Resolution.

### SECTION 2. FINANCE CONTRACT.

The City after review of the Government Capital Corporation Finance Contract and the terms therein, with concurrence of counsel, may enter into the Finance Contract (Exhibit "A" attached hereto and incorporated herein) for the financing and acquisition of police vehicles and related equipment, the primary use of which will be by the Police Department.

### SECTION 3. TAX EXEMPT

The Finance Contract, if approved, by and between the City and Government Capital Corporation would be a "*qualified tax exempt obligation*" for the purposes of §265(b)(3), INTERNAL REVENUE SERVICE CODE 1986.

### SECTION 4. SEVERABILITY.

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 5. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

SECTION 6. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 7. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

PASSED AND APPROVED this 13<sup>th</sup> day of November, 2012.

/s/ Richard Neverdousky  
Mayor

ATTEST:

/s/ Yael Hoffman  
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ [Signature]  
City Attorney

The Willow Park City Council in acting on Resolution No. 18-12, did on the 13<sup>th</sup> day of November, 2012, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thonburg, Place 1	✓ _____	_____
Gene Martin, Place 2	✓ _____	_____
Amy Podany, Place 3	✓ _____	_____
Dan Stalling, Place 4	✓ _____	_____
Bernard Suchocki, Place 5	✓ _____	_____