

**RESOLUTION NO. 12-21**

**A RESOLUTION OF THE CITY OF ROSWELL, NEW MEXICO AUTHORIZING THE SECURING OF A QUALIFIED TAX EXEMPT LEASE AGREEMENT FOR FINANCING THE ACQUISITION OF FIRE APPARATUS AND EQUIPMENT, RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, the governing body of the City of Roswell ("City") desires to obtain financing on the acquisition of three fire apparatus (two new 2012 Pierce Saber pumpers and a new 2012 Pierce Saber 75' Aerial) and related equipment to be used on the apparatus ("Fire Apparatus") in the amount of approximately \$1,623,422 as budgeted and approved for fiscal year 2012; and

**WHEREAS**, the Fire Apparatus is essential for the City to perform its governmental functions; and

**WHEREAS**, the City has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Fire Apparatus; and

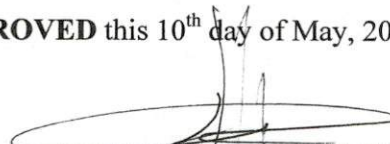
**WHEREAS**, the governing body of the City of Roswell proposes to enter into a lease agreement with a lending agency.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, THE GOVERNING BODY OF THE CITY OF ROSWELL, NEW MEXICO that:** The Manager, Finance Officer and Attorney of the City be, and are hereby, authorized and directed to request proposal on financing the acquisition of Fire Apparatus, as described above, secure any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and securing Financing Documents for approval by the governing body of the City; and


**BE IT FURTHER RESOLVED that:** Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), the City of Roswell, New Mexico is hereby specifically seeking to designate the lease agreement as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code.

**PASSED, ADOPTED, SIGNED AND APPROVED** this 10<sup>th</sup> day of May, 2012.



  
**Del Journey, Mayor**

**ATTEST:**

  
**Dave Kunko, City Clerk**