



MEMORANDUM

March 8, 2013

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Russ Truell, Assistant City Administrator

SUBJECT: Reimbursement Resolution regarding U S Bank Leasing Arrangement

Purpose

The purpose of this resolution is to satisfy the requirements of a U S Bank leasing arrangement and enable the City to receive reimbursement for the purchase front-end loading garbage truck.

Background

The City ordered and received a new front-end loading garbage truck in January which replaced an older truck that was in need of extensive repairs. Approval for the purchase was given by BOMA in December and the City paid the invoice while waiting for the lease documents to be finalized. The intent was to fund payments for the vehicle under the lease and the City now wishes to be reimbursed. U S Bank requires a reimbursement resolution to effectuate that reimbursement.

Financial Implications

There is no change in the financing of the vehicle. The commitment to purchase the vehicle under the lease agreement was previously approved.

Recommendation

Staff recommends approval of the reimbursement resolution.

RESOLUTION NO. 2013-14

RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN
DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE
TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN
CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL
IMPROVEMENTS

WHEREAS, the **City of Franklin** (the "City") is a political subdivision organized and existing under the laws of Tennessee; and

WHEREAS, the City has paid, beginning no earlier than February 1, 2013 and will pay, on and after the date hereof, certain expenditures (the "Expenditures") in connection with the capital project (the "Project"), as more fully described in Appendix A attached hereto; and

WHEREAS, the **BOARD OF MAYOR AND ALDERMEN** of the City (the "Board") has determined that the money previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt obligations (the "Obligations");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

Section 1. The Board hereby declares the City's intent to reimburse the City with the proceeds of the Obligations for the Expenditures with respect to the Project made on and after February 1, 2013, which date is no more than 60 days prior to the date hereof. The City reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligations.

Section 2. Each Expenditure [was and] will be (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditure) and (b) complies with all applicable Literary Fund regulations.

Section 3. The maximum cost of the Project is expected to be \$ _____

Section 4. The City will make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Division recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

IT IS SO RESOLVED this 26th day of March, 2013.

Dr. Ken Moore, Mayor

Attested to:

Eric. S. Stuckey, City Administrator

**APPENDIX A
DESCRIPTION OF PROJECT**



HISTORIC
FRANKLIN
TENNESSEE

City of Franklin Purchasing Office
P.O. Box 305
Franklin TN 37065-0305
Telephone: (615)550-6692
Fax: (615)550-0079

Purchase Order

Purchase Order No:	PO2273
Date:	12/27/2012

Vendor:

Stringfellow, Inc.
2710 Locust St.
Nashville TN 37207-4036

Ship To:

City of Franklin Fleet Maintenance
405 Hillsboro Road
Franklin TN 37064

Bill To:

City of Franklin Accounts Payable
P.O. Box 295
Franklin, TN 37065-0295
Telephone: (615) 550-6692
Fax: (615)550-0079

^ Changed Since the Previous Revision

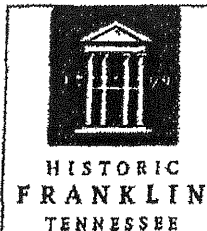
LN	Item Number	Description	U/M	Ordered	Unit Price	Ext. Price
1	FRONT-END-LOADING GARB	per 11/30/2012 quote	Each	1	\$216,945.00	\$216,945.00

Manufacturer:	Manufacturer's Item Number:	Description:
2013 MACK	MRU 613	chassis
HEIL	40 CV HALF PACK EJECT	front end loader body

Acceptance of this PO by Vendor indicates Vendor's acceptance of and agreement to abide by the City's current Standard Procurement Terms and Conditions and the Standard Payment Terms.

Brian Wilcox, Purchasing Manager

Freight	\$0.00
Order Total	\$216,945.00



Procurement Requisition

Form No. 3

Request for authorization to execute a purchase (other than for design or construction of new infrastructure and facilities), the total value of which is equal to or more than \$25,000

Request Date: December 14, 2012

Requisitioning Department: Solid Waste (Collection Division)

Item Description: (Qty: 1) front-end-loading refuse collection truck

- Basis for pricing:
- pricing established by previous City of Franklin competitive process (details, including date and description, attached); or
 - pricing established by previous competitive process of another governmental agency (details, including date and description, attached); or
 - sole-source purchase (details, including date and description, attached; note: requires either BOMA approval or reporting to BOMA); or
 - emergency purchase (details, including date and description, attached; note: requires reporting to BOMA); or
 - purchase is of "secondhand" (used or demonstrator) goods, equipment, materials, supplies, or commodities from any federal state or local governmental unit or agency, per Tennessee Code Annotated §12-3-1003(a) (details, including date and description, attached); or
 - purchase is of "secondhand" (used or demonstrator) goods, equipment, materials, supplies, or commodities from any private individual or entity, per Tennessee Code Annotated §12-3-1003(b) (details, including date and description, attached); or
 - pricing established by another process (details, including date and description, attached).

Vendor: Stringfellow, Inc.

Date of Pricing: November 30, 2012

Total Value of Purchase: \$216,945.00

Budget Amount: not budgeted in FY2013

Budget Justification: see memo report of emergency purchase as presented to and approved by BCMA 2012.12.11, agenda item no. 16

General Ledger Account No.: 124-89520-46110

- Intended method of payment¹:
- invoice to be paid by City purchasing card² issued to: _____; or
 - invoice to be paid by Accounts Payable^{3,4}; or
 - invoice to be financed by City^{3,4} by means of master lease agreement; or
 - invoice to be financed by vendor^{3,4}.

Recommended for Approval: _____

(Authorized representative of requisitioning department)

Recommended for Approval: _____

(Purchasing Manager)

Approved: _____

(Assistant City Administrator or City Administrator)

¹ If the invoice is to be paid rather than financed, then the City's preferred method of payment is by City purchasing card or, if the vendor declines to accept payment by Visa credit card without surcharge, then by direct deposit - such as "ACH" or "Electronic Funds Transfer."

² Please ask the Purchasing Office to adjust the single-transaction limit and, if necessary, the monthly credit limit on the identified card.

³ If the vendor has not done business with the City of Franklin within the last two (2) years, please ask the vendor to complete the City of Franklin Vendor Information Form and IRS Form W-9 (both forms available at Inside the City > Finance > Shared Documents > Finance (Payroll and AP) > Accounts Payable) and to return them to the Purchasing Office.

⁴ Please ask the vendor to address invoices to: City of Franklin Accounts Payable, P.O. Box 295, Franklin, TN 37065-0295.

STRINGFELLOW INC.

2710 Locust Street
Nashville, Tennessee 37207-4036
Ph. (615) 226-4900

INVOICE

INVOICE DATE	INVOICE NO	PAGE
12/28/2012	69005	1

SOLD City of Franklin
TO Accounts Payable
PO Box 295
Franklin, TN 37065-0295

SHIP City of Franklin
TO
405 Hillsboro Raod
Franklin, TN 37064

ORDER NO.	SALES PERSON	PURCHASE ORDER NUMBER	SHIP VIA	SHIP DATE	TERMS	
69005	JC / 4	1228-01	Delivery	12/28/12	N30	
ITEM NO.	ITEM DESCRIPTION		QUANTITY	UNIT PRICE	PRICE UNIT	EXTENDED PRICE
MRU613 VIN:	Chassis, 2013 Mack 1M2AV04C4DM010308		1	\$216,945.00	Each	\$ 216,945.00
HEIL HALF PACK Serial Number:	Body, Half Pack 28yd Eject HPE4955073		1	\$ -	Each	\$ -
ON ACCOUNT		\$216,945.00	SALES AMOUNT		\$	216,945.00
			SALES TAX		\$	-
			TOTAL		\$	216,945.00
			PAYMENT REC'D			
			BALANCE DUE		\$	216,945.00