

RESOLUTION NO. 040913-15

WHEREAS, the City of Austin (the "Issuer") is a home rule city authorized to issue obligations to finance its activities, the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Issuer will make, or has made not more than 60 days before this date, payment of \$42,170,000 for anticipated Fiscal Year 2004-2005 acquisition and construction costs for the following Electric Utility Capital Improvement Projects:

Fund 3230 E-Transmission Capital

Fund 3240 E-Distribution Substations Capital

Fund 3250 E-Distribution Capital; and

Fund 3260 E-Customer Service, Billing and Metering; and

WHEREAS, the Issuer has concluded that it does not currently desire to issue tax-exempt obligations to finance this payment; and

WHEREAS, the Issuer desires to reimburse itself for this payment from the proceeds of tax-exempt obligations to be issued subsequent to this date; and

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself; **NOW, THEREFORE,**

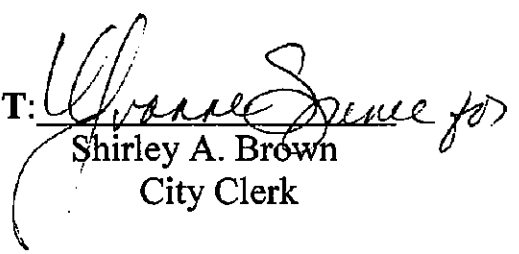
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Issuer reasonably expects to reimburse itself for all payments made during the 60 days preceding this date or that will be paid after this date related to anticipated acquisition and construction for the above-referenced Electric Utility Capital Improvement projects from the proceeds of tax-exempt obligations; and

The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer for the above stated costs will not exceed \$42,170,000.

ADOPTED: September 13, 2004

ATTEST:


Shirley A. Brown
City Clerk