

RESOLUTION NO. {{item.custom\_tracking\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A CONSTRUCTION CONTRACT WITH CLARK ROOFING & CONSTRUCTION OF WACO, TEXAS, IN THE AMOUNT OF \$701,473.48, FOR ROOF REPLACEMENTS AT MAYBORN CONVENTION CENTER, CITY HALL, LANIER CENTER, AND FIRE STATION NO. 4, AS WELL AS DECLARE AN OFFICIAL INTENT TO REIMBURSE THE EXPENDITURES WITH THE ISSUANCE OF THE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION BONDS, SERIES 2021; AND PROVIDING AN OPEN MEETINGS CLAUSE.

---

**Whereas**, approval of this item will allow for the replacement of the roofs on the following City-owned buildings that are leaking and have reached the end of their useful life:

- 1) Mayborn Convention Center lower roof (3303 North 3<sup>rd</sup> Street) – replace gravel roof with a 60-MIL TPO roof system, \$286,656.01;
- 2) City Hall (2 North Main) – replace lower and upper roof systems with a 60-MIL TPO roof system, \$239,234.37;
- 3) Lanier Center (201 North 8<sup>th</sup> Street) – replace gravel roof with a 60-MIL TPO roof system, \$97,992.76; and
- 4) Fire Station No. 4 (411 Waters Dairy Rd) – replace metal standing seam roof with a 24-gauge standing seam roof system, \$77,590.34;

**Whereas**, Clark Roofing and Construction (Clark) has been awarded TIPS Cooperative Contract No. 200201, which Staff is recommending using for this purchase - contracts awarded by TIPS have been competitively procured and meet the statutory procurement requirements for Texas municipalities;

**Whereas**, Clark has completed several roof replacement and roof repair projects for the City and Staff has found Clark to perform high quality work, and Clark has been responsive to roofing repair needs of the City, including emergency needs;

**Whereas**, Staff is recommending award of this roof replacement contract prior to the issuance of the 2021 Certificate of Obligation Bonds based on the rising cost of construction material and an expected 7% increase in roofing materials by mid-May 2021;

**Whereas**, the City Council of the City of Temple, Texas (the "Issuer") expects to pay expenditures in connection with the projects described on 'Exhibit A' attached hereto (collectively, the "Projects") prior to the issuance of obligations to finance the Projects;

**Whereas**, the Issuer finds, considers and declares that the reimbursement of the Issuer for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues the respective obligations to finance or refinance the Projects;

**Whereas**, the Discretionary Service Agreement is being funded with the issuance of Reinvestment Zone Number One Tax Increment Revenue Bonds, Series 2021A which will make funding available in the Reinvestment Zone No. 1 Financing and Project Plan, Line 403, Account No. 795-9800-531-6569, Project No. 101588; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to authorize this action.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:**

**Part 1: Findings.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

**Part 2:** The City Council authorizes a construction contract with Clark Roofing & Construction of Waco, Texas, in the amount of \$701,473.48, for roof replacements at Mayborn Convention Center, City Hall, Lanier Center, and Fire Station No. 4 and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's office, to execute any documents that may be necessary.

**Part 3:** The Issuer reasonably expects to incur debt, as one or more separate series of various types of obligations, with an aggregate maximum principal amount not to exceed \$701,473.48 for the purpose of paying the costs of the Projects.

**Part 4:** All costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the Issuer in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

**Part 5:** The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

**Part 6:** Any reimbursement allocation of the proceeds of any such obligations will only be used to reimburse such capital expenditures that occur no later than 18 months after the later of the date the capital expenditure was paid, in accordance with Treasury Regulation §1.150-2.

**Part 7:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6<sup>th</sup>** day of **May, 2021**.

THE CITY OF TEMPLE, TEXAS

---

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

---

Jana Lewellen  
City Secretary

---

Kathryn H. Davis  
City Attorney