

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVING THE REFUNDING OF THE FORT WAYNE MUNICIPAL BUILDING CORP. FIRST MORTGAGE REVENUE BONDS, SERIES 2009A (CITY HALL PROJECT), AND THE FORT WAYNE MUNICIPAL BUILDING CORP. TAXABLE FIRST MORTGAGE REVENUE BONDS, SERIES 2009B (RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS – CITY HALL PROJECT)

WHEREAS, pursuant to a Mortgage and Trust Indenture dated as of November 1, 2009, between the Fort Wayne Municipal Building Corp. (the "Building Corporation") and UMB Bank, N.A., as trustee, the Building Corporation has previously issued its (a) Seven Million Six Hundred Fifty-Five Thousand Dollars (\$7,655,000) original principal amount of First Mortgage Revenue Bonds, Series 2009A (City Hall Project) (the "2009A Bonds"), and (b) Eight Million Eight Hundred Forty Thousand Dollars (\$8,840,000) original principal amount of Taxable First Mortgage Revenue Bonds, Series 2009B (Recovery Zone Economic Development Bonds – City Hall Project) (the "2009B Bonds," and together with the 2009A Bonds, the "2009 Bonds"), for the purpose of financing the costs of acquiring, renovating and equipping a building to be used by the City of Fort Wayne, Indiana (the "City") as a city hall; and

WHEREAS, the 2009 Bonds are payable from semiannual lease rental payments from the City to the Building Corporation being made pursuant to a Lease Agreement dated as of September 1, 2009, between the Building Corporation, as lessor, and the City, as lessee, as amended (as amended, the "Lease"); and

WHEREAS, the Building Corporation is authorized pursuant to Indiana Code 5-1-5 to issue refunding bonds (the "Refunding Bonds") in order to refinance the outstanding 2009 Bonds resulting in interest cost savings over the life of the outstanding 2009 Bonds and thereby reducing the City's annual rental payments under the Lease; and

WHEREAS, the Common Council of the City (the "Common Council") now desires to approve the issuance and sale of the Refunding Bonds by the Building

1 Corporation, provided that a net present value savings of at least three percent (3%) of
2 the outstanding principal amount of the 2009 Bonds is achieved;

3 NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
4 THE CITY OF FORT WAYNE, INDIANA, AS FOLLOWS:

5 Section 1. The issuance of the Refunding Bonds by the Building Corporation is
6 hereby authorized and approved in such amount and bearing interest at such rates in
7 order to accomplish a net present value savings of at least three percent (3%) of the
8 outstanding principal amount of the 2009 Bonds is achieved.

9 Section 2. In order to accomplish the refinancing and current refunding of the
10 outstanding 2009 Bonds, Baker Tilly Municipal Advisors LLC is hereby selected and
11 appointed as municipal advisor of the Refunding Bonds, and Faegre Drinker Biddle &
12 Reath LLP is hereby selected and appointed as bond counsel with respect to the
13 Refunding Bonds. The Mayor and the Controller of the City are hereby authorized to
14 select an underwriter or placement agent for a negotiated sale of the Refunding Bonds or
15 to direct the Refunding Bonds be sold via a competitive sale.

16 Section 3. The Mayor, the Controller and the Clerk of the City, and such other
17 officers of the City as may be necessary and appropriate, are, and each of them is, hereby
18 authorized to take any and all actions and to execute all such instruments as may be
19 necessary or appropriate to accomplish the current refunding of the outstanding 2009
20 Bonds, in such forms as the officers executing the same shall deem proper, to be
21 evidenced by the execution thereof, including, without limitation, (i) executing an
22 amendment to the Lease to provide for lower annual lease rental payments as a result of
23 the refinancing of the outstanding 2009 Bonds, and (ii) entering into a continuing
24 disclosure undertaking agreement to provide continuing disclosure with respect to the
25 Refunding Bonds, to the extent required under the federal securities laws.

REPORT OF COMMITTEE ON FINANCE

April 28, 2020

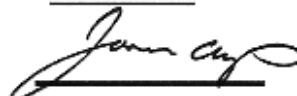
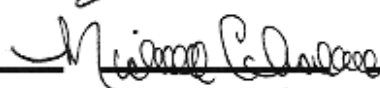
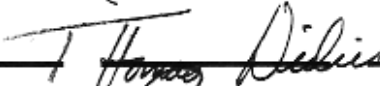


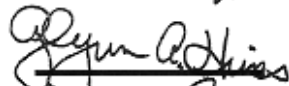



Sharon Tucker Chair

Jason Arp Co-Chair

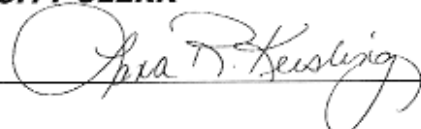
All Council Members

A Resolution of the Common Council of the City of Fort Wayne, Indiana, approving the refunding of the Fort Wayne Municipal Building Corp. First Mortgage Revenue Bonds, Series 2009A (City Hall Project) and the Fort Wayne Municipal Building Corp. Taxable First Mortgage Revenue Bonds, Series 2009B (Recovery Zone Economic Development Bonds – City Hall Project)

COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance

<u>COUNCIL MEMBER</u>	<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>
<u>ARP</u>		_____	_____
<u>CHAMBERS</u>		_____	_____
<u>DIDIER</u>		_____	_____
<u>ENSLEY</u>		_____	_____
<u>FREISTROFFER</u>		_____	_____
<u>HINES</u>		_____	_____
<u>JEHL</u>		_____	_____
<u>PADDOCK</u>		_____	_____
<u>TUCKER</u>		_____	_____

**LANA R. KEESLING
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Tucker.

Read the second time by title and referred to the Finance Committee.

Read the third time in full and on motion by Councilperson Tucker, placed on passage by the following vote:

<u>TOTAL VOTES</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
ARP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAMBERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DIDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENSLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FREISTROFFER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: April 28, 2020


LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-20-04-06 on the 28th day of April, 2020

ATTEST:


LANA R. KEESLING
CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the
of April 29 2020, at the hour of 9:00 o'clock AM E.S.T.


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 29th day of APRIL

2020, at the hour of 12:30 o'clock PM E.S.T.


THOMAS C. HENRY, MAYOR