

ORDINANCE AUTHORIZING THE CITY OF COATESVILLE (THE "CITY") TO ENTER INTO A "BANK QUALIFIED" LEASE AGREEMENT WITH M & T BANK (BANK) FOR PURPOSES OF ACQUIRING 4 POLICE VEHICLES (TWO (2) 2017 FORD INTERCEPTORS AND TWO (2) FORD EXPLORERS) PURSUANT TO COSTAR CONTRACTS AND INCURRING LEASE OBLIGATIONS (NOT IN EXCESS OF \$ 140,221.42 FOR THE POLICE VEHICLES) TO BE EVIDENCED BY LEASE PURCHASE AGREEMENTS WITH THE BANK (THE "LESSOR") TO WHICH THE CITY WILL PAY TO LESSOR THE RENTAL PAYMENTS FOR THE PURPOSES OF PROVIDING THE SAID EQUIPMENT FOR THE CITY; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH LEASE PURCHASE AGREEMENTS; SETTING FORTH THE AMOUNTS OF THE RENTAL PAYMENTS TO BE MADE THEREUNDER AND COVENANTING TO PAY SUCH AMOUNTS FROM CURRENT REVENUES, SUBJECT TO ANNUAL APPROPRIATION; AUTHORIZING AND DIRECTING THE TAKING OF NECESSARY OR APPROPRIATE ACTIONS INCLUDING EXECUTION AND DELIVERY OF REQUISITE DOCUMENTS IN CONNECTION WITH THE LEASE PURCHASE AGREEMENTS; AND TAKING RELATED ACTIONS.

WHEREAS, the City of Coatesville (hereinafter "the City") is a Third Class City operating by means of a Home Rule Charter; and

WHEREAS, the City has issued a Request for Proposals to provide lease financing for the purchase through COSTAR Contracts of needed Police Vehicles for the City of Coatesville (hereinafter the "Equipment") as more specifically described in Exhibit "A" annexed hereto and made a part hereof; and

WHEREAS, in response to the aforementioned Request for Proposals, M&T Bank (also referred to as "Bank") has submitted a fixed rate, fully amortized privately placed tax-exempt lease agreement with the City at 3.116% interest rate for a 3 year term (four police vehicles total net price \$ 140,221.42 as set forth in the correspondence dated March 23, 2017 (and with respect to which Bank has agreed to the waiver of "Documentation Fees and Escrow Account Fees" as identified therein) said letter being attached hereto as Exhibit "B" annexed hereto and made a part hereof; and,

WHEREAS, the City desires by this Ordinance to authorize the execution and delivery on behalf of the City the Lease Purchase Agreements, as referenced previously (it being specifically noted that the City elects to opt for the _3_ year Term/Annual in Advance the rate of 3.116%, and to authorize the taking of necessary or appropriate actions to perform the Lease Purchase Agreements.

NOW THEREFORE, in accordance with the foregoing authority - which incorporates all rights and powers granted to the City of Coatesville under the Third Class City Code and those powers granted to the City under its Charter - THE CITY DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

Section 1. Approval by the City Council of the City of Coatesville. The City Council hereby authorizes and approves the financing of the Equipment pursuant to the Lease Purchase Agreements. The City of Coatesville determines to incur lease obligations debt in an aggregate principal amount not to exceed \$ 140,221.42 by the execution and delivery of Lease Purchase Agreements. The City of Coatesville hereby finds and determines that the realistic estimated

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useful life-of the Equipment is at least three (3) years with respect to the police vehicles.

Section 2. Form of Lease Purchase Agreements. The Lease Purchase Agreements will be in form and substances satisfactory to the City of Coatesville with the advice of counsel, and shall provide that the City's repayment obligations thereunder.

Section 3. Execution and Delivery of Lease Purchase Agreements. The proper officers of the City of Coatesville are hereby authorized and directed to execute, attest, seal and deliver the Lease Purchase Agreements in the form provided in Section 2 hereof. Such execution, attestation and delivery of the Lease Purchase Agreement shall constitute conclusive evidence of such approval.

Section 4. Amounts Payable Under Lease Rental Debt Documents. The amounts required to be paid under the Lease Purchase Agreements from the current revenues of the City of Coatesville are as set forth in Exhibit "C" annexed hereto and made a part hereof.

Section 5. Rental Payments from Current Revenues of the City of Coatesville. The City covenants to pay Lessor the rental payments as set forth in Exhibit "C" hereto from current revenues subject to annual appropriate.

Section 6. Qualified Tax-Exempt Obligations. The City of Coatesville hereby represents that the reasonably anticipated amount of qualified tax-exempt obligations which have been and will be issued by the City of Coatesville does not exceed \$10,000,000 for the calendar year within which this Lease Purchase Agreement is to be a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Internal Revenue Code.


Section 7. Further Action. The proper officers of the City of Coatesville, i.e., the City Manager and City Finance Director and City Council President are hereby severally authorized and empowered on behalf of the City of Coatesville to execute any and all papers and documents and to do or cause to be done any and all acts and things necessary or appropriate for the implementation of this Ordinance and to effectuate the authorization, execution, delivery and performance of the Lease Purchase Agreement.

Section 8. Headings and Preambles. The preambles and heading of this Ordinance are inserted for ease of reference only and shall not constitute a part of this Ordinance.

Section 9. Inconsistent Ordinances and Repealed. All ordinances and resolutions to the extent inconsistent herewith shall be and same hereby are rescinded, canceled and annulled.

This Ordinance shall be effective following adoption in accordance with the City Charter and the Third Class City Code.

ENACTED AND ORDAINED this day of April, 2017.



C. Arvilla Hunt
President, City Council

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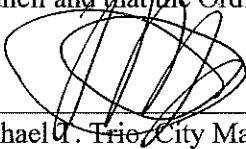
ATTEST:



Michael T. Trio, City Manager

CERTIFICATION

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 27th day of March, 2017 and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania, on the 10th day of April, 2017, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council and that the Ordinance has been fully recorded.



Michael T. Trio, City Manager

EXHIBIT "A"
DESCRIPTION OF EQUIPMENT

2017 Ford Police Interceptor	\$28,898.28
2017 Ford Explorer	\$41,545.22
2017 Ford Explorer	\$42,751.92
2017 Ford Police Interceptor	\$27,026.00

EXHIBIT "C"
PAYMENT SCHEDULE (TO BE ATTACHED AT SETTLEMENT)