

RESOLUTION NO. R 95-27

A RESOLUTION OF THE CITY COUNCIL OF CONWAY, ARKANSAS DECLARING THE CITY'S INTENT TO ISSUE CABLE TELEVISION REVENUE BONDS FOR THE PURPOSE OF FINANCING THE COSTS OF ACQUIRING AND EQUIPPING CERTAIN IMPROVEMENTS TO THE DISTRIBUTION FACILITIES OF THE CITY'S CABLE TELEVISION SYSTEM AND STATING THE CITY'S INTENT TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS TO REIMBURSE ORIGINAL EXPENDITURES MADE TO FINANCE SUCH FACILITIES.

WHEREAS, the City of Conway, Arkansas (the "City"), is authorized under the provisions of Arkansas Code Annotated §§ 14-199-601 and 602 (Supp. 1993) to own and operate a cable television system; and

WHEREAS, the City presently owns such cable television system (the "System") and through a lease and franchise arrangement with Conway Corporation, an Arkansas nonprofit corporation, the System is operated and maintained; and

WHEREAS, the City desires to make certain improvements to the distribution components of the System and to finance such improvements through the issuance of cable television revenue bonds to the extent authorized under the laws of the State of Arkansas; and

WHEREAS, the City and Conway Corporation have agreed to initially finance such System improvements with available revenues generated with respect to the City's electric system until such time as permanent financing can be obtained through the issuance of revenue bonds, and thereafter to reimburse from bond proceeds any expenditures made for the improvements; and

WHEREAS, the City desires to make a declaration of its official intent to use a portion of the proceeds of revenue bonds to reimburse any and all original expenditures for System improvements which are incurred by the City or Conway Corporation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CONWAY, ARKANSAS, THAT:

Section 1. The City and Conway Corporation will cooperate in causing to be commenced the acquisition and equipping of certain improvements to the distribution components of the System. Such improvements may be financed from available electric system revenues until such time as proceeds of the City's cable television revenue bonds are available for such purpose.

Section 2. The City considers this resolution to be its declaration of official intent (for all purposes of Section 1.150-2 of the Federal Income Tax Regulations) to issue revenue bonds and to reimburse with a portion of the proceeds of such bonds all original expenditures incurred by the City or Conway Corporation in acquiring and equipping System improvements between the date that is sixty (60) days prior to the date of adoption of this resolution and the date the bonds are issued, plus a *de minimis* amount and preliminary expenditures, as such terms are defined in Section 1.150-2(f) of the Federal Income Tax Regulations.

Section 3. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED this 12th day of September, 1995.

CITY OF CONWAY, ARKANSAS

By: 

Mayor

ATTEST:

By: 

City Clerk

(S E A L)