

Presented by: The Manager
Introduced: 06/14/2004
Drafted by: Bond Counsel/
J.W. Hartle

CITY AND BOROUGH OF JUNEAU, ALASKA

Resolution No. 2269

A Resolution Authorizing a Master Equipment Lease/Purchase Agreement for the Financing of Equipment by the City and Borough.

WHEREAS, the City and Borough is in need of financing from time to time in the future, and currently, to pay the cost of acquisition of a CT scanner and Stereotactic Biopsy equipment for Bartlett Regional Hospital (collectively, the "Equipment"); and

WHEREAS, the City and Borough solicited proposals from financial institutions and has determined that the best terms were provided by Banc of America Leasing and Capital, LLC ("BofA") in its proposal dated April 19, 2004 (the "Proposal"); and

WHEREAS, the terms of the Proposal will be set forth in a Master Equipment Lease/Purchase Agreement ("Lease Agreement") between the City and Borough and BofA.

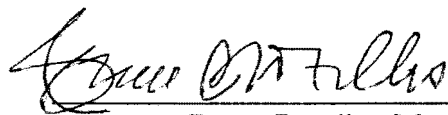
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA, as follows:

Section 1. Financing. The City and Borough shall finance the acquisition of essential use equipment for the City and Borough (the "Equipment") under the terms of the Proposal and Lease Agreement. Under the terms of the Lease Agreement, the City and Borough may finance the costs of equipment if the acquisition of the Equipment has been approved by the Assembly, over 36, 60, or 84 month terms, with different interest rates to be applicable depending upon the term and the bond equivalent yield for U.S. Treasury Notes in effect at the time of each financing. The term of the Lease Agreement will be for one-year, ending on June 30, 2005. The City and Borough may request up to three one-year extensions of the term of

the Master Lease. The Lease Agreement, in substantially the form attached hereto, is approved subject to such modifications as are deemed appropriate and approved by the City Manager, which approval shall be conclusively evidenced by execution and delivery of the Lease Agreement by the City Manager. The Lease Agreement is hereby directed to be executed in the name and on behalf of the City and Borough by the City Manager, but only to be delivered upon execution thereof by BofA. The City Manager is further authorized and directed to execute any and all documents relating to or required by the Lease Agreement, including determining whether to request the extension options authorized by the Lease Agreement, an escrow agreement for undisbursed proceeds, if any, and to do any and all things determined necessary to effect the accomplishment of the Equipment project and the financing thereof on a tax-exempt basis and to deliver the necessary documents to the proper parties as requested to carry out the intended purposes of this resolution.

Section 2. Effective Date. This resolution shall become effective immediately upon its adoption.

ADOPTED this 14th day of June, 2004.



Bruce Botelho, Mayor

Attest:


Elizabeth J. McEwen, Deputy Clerk