

ORDINANCE NO. 2124

AN ORDINANCE OF THE CITY OF BRYAN, TEXAS CREATING AND ESTABLISHING A CAPITAL RESERVE FUND; DIRECTING HOW SUCH FUND MAY BE FUNDED; DIRECTING HOW SUCH FUND MAY BE ACCESSED; RESOLVING OTHER MATTERS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bryan, Texas (the " City") has significant investments in land and facilities resulting from past economic development activities within the City and in Brazos County; and

WHEREAS, periodically, the City generates one-time revenues through the sale of these land and facilities investments; and

WHEREAS, the City expects the future one-time revenues will exceed the funding requirements of ongoing expenditures of the City's General Fund; and

WHEREAS, the City desires to establish a Capital Reserve Fund that will be used primarily to fund future one-time General Fund projects as designated by the City Council, or secondarily, to fund other General Fund needs of the City; and

WHEREAS, it is the City's intention that principal shall be added to the Capital Reserve Fund only upon meeting the conditions set forth below; and

WHEREAS, it is the City's intention that principal and/or interest in the Capital Reserve Fund should be withdrawn only upon meeting the conditions set forth below;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:

Section 1.

- A. There shall be and hereby is created and established a fund to be designated as the City of Bryan Capital Reserve Fund which shall be maintained at a depository of the City. The principal balance of the Capital Reserve Fund shall be derived from one-time revenues of the City.
- B. As specified in Chapter 253.001 of the Texas Local Government Code, proceeds from the sale of a public square, park or the site for the city hall or other municipal building shall be specifically excluded from this fund.
- C. Funding of one-time revenues to the Capital Reserve Fund shall occur upon satisfaction of the following conditions:

The Bryan City Council approves by majority vote of the City Council members present at the meeting the designation of one-time revenues from a transaction to the Capital Reserve Fund.
- D. Funds deposited to the Capital Reserve Fund shall earn interest.
- E. Funds on deposit in the Capital Reserve Fund shall only be withdrawn upon satisfaction of the following conditions:

The Bryan City Council approves by majority vote of the City Council members present at the meeting a one year appropriation from the Capital Reserve Fund for a named special project. Funding for the project will come from the balance of principal and interest earned in the Capital Reserve Fund and cannot be for more than the balance of principal and interest earned in the Capital Reserve Fund at the time of approval.

Section 2.

The ordinance shall become effective immediately upon its second and final reading and passage.

PRESENTED AND GIVEN reading the 27nd day of October, 2015 at a regular meeting of the City Council of the City of Bryan, Texas; and given second reading, **PASSED AND APPROVED** on the 10th day of November, 2015 by a vote of 7 yeas and 0 noes at a regular meeting of the City Council of the City of Bryan, Texas.

ATTEST:

CITY OF BRYAN:


Mary Lynne Stratta, City Secretary


Jason P. Bienski, Mayor

APPROVED AS TO FORM:


Janis K. Hampton, City Attorney