

Date August 8, 2011

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE THE DES MOINES SANITARY SEWER UTILITY FOR CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH PROPOSED PROJECTS

WHEREAS, the City of Des Moines Sanitary Sewer Utility has planned Capital Improvement Projects, some of which are planned to be funded by the issuance of Revenue Bonds; and

WHEREAS, the construction has commenced on the Riverpoint Trunk Separation and Pump Station project planned to be funded from the issuance of debt and the City is prepared to make final payment to the Iowa Department of Transportation (IDOT) for utility work completed along I-235 planned to be funded by the issuance of debt (the "Projects"); and

WHEREAS, debt has not yet been issued for these or the other projects planned in the adopted CIP; and

WHEREAS, a Reimbursement Resolution will allow the City to make expenditures now with cash in-hand and reimburse itself at a later date with the issuance of debt; and

WHEREAS, this declaration of official intent is considered to be consistent with the budget and financial circumstances of the Des Moines Sanitary Sewer Utility Fund.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, AS FOLLOWS:

Section 1. That this Resolution be and does hereby serve as a declaration of official intent under Treasury Regulation 1.150-2.

Section 2. That it is reasonably expected that capital expenditures have or will be made in respect of the forgoing Projects, from time to time and in such amounts as the City Council determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That it is reasonably expected that all or a portion of the foregoing expenditures will be reimbursed with the proceeds of bonds, notes, or other indebtedness to be issued or incurred by the City of Des Moines in the future.

Section 4. That the total estimated costs of the Projects, the maximum principal amount of the bonds, notes or other indebtedness to be issued for the Projects and the estimated date of completion of the Projects are reasonably expected to be as follows:

★ Roll Call Number

11-1377

Agenda Item Number

33

Date August 8, 2011

Project	Total Estimated Cost	Amount of Borrowing Anticipated	Estimated Date of Completion/Payment
Riverpoint Trunk Separation and Pump Station	\$3,833,699	\$2,250,000	12/30/11
IDOT Payment – I-235 Utility Work	\$4,166,667	\$4,000,000	8/31/11

Section 5. That it is reasonably expected that the above mentioned Project costs will be reimbursed not later than eighteen months after capital expenditures are paid or eighteen months after the property is placed in service, but in no event later than three years after the original expenditure is made.

Moved by MahaFFEY to adopt.

APPROVED AS TO FORM:



Lawrence R. McDowell
Deputy City Attorney

(Council Communication No. 11-536)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

T. M. Franklin Council Mayor

Diane Rauh City Clerk