



Roll Call Number

Agenda Item Number

20:2019

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Date December 7, 2020

**RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY
REGULATION 1.150-2**

WHEREAS, the City of Des Moines has planned Capital Improvement Projects, some of which are planned to be funded by the issuance of tax-exempt obligations; and

WHEREAS, phased construction has commenced on sewers in the Near West Side Sewer Separation projects in the area roughly west of Martin Luther King Jr. Parkway and east of 31st Street to be funded in part from the issuance of debt (the "Project"); and

WHEREAS, obligations have not yet been issued to fund the current phase of the Project planned in the adopted Capital Improvements Plan of the City; 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 City of Des Moines to fund the Project from the Stormwater Management Utility Fund, the Des Moines Sanitary Sewer System Fund or such other funds as shall be available.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, 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 foregoing Project 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 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.

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

Project	Total Estimated Cost	Amount of Borrowing Anticipated	Estimated Date of Completion/Payment
Near West Side Sewer Separation Project (current phase)	\$7,210,365	\$7,247,000	3/1/22

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.

Section 6. That this Resolution be maintained by the City Clerk and available at all times for public inspection, subject to such revisions as may be necessary.

APPROVED AS TO FORM: Moved by Gatto to adopt.

/s/ Lawrence R. McDowell
Lawrence R. McDowell
Deputy City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
WESTERGAARD	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

J. M. Franklin Cownie
Mayor

CERTIFICATE

I, P. Kay Cmelik, 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.

P. Kay Cmelik
City Clerk