

RESOLUTION NO. 2024-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE DONNER SUMMIT PUBLIC UTILITY DISTRICT DECLARING INTENTION TO REIMBURSE EXPENDITURES RELATING TO CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS

WHEREAS, the Donner Summit Public Utility District (“DSPUD”) owns and operates facilities and property for the collection and treatment of wastewater within the service area of DSPUD (the “Wastewater System”); and

WHEREAS, DSPUD anticipates undertaking certain capital improvement projects in order to extend service to certain residential units within the Sugar Bowl West and East Villages not currently connected to the system (the “Project”), and to issue debt for such Project and Project related costs, and to use a portion of the proceeds of such debt to reimburse expenditures made for the Project prior to the issuance of the debt; and

WHEREAS, United States Income Tax Regulations section 1.150-2 provides generally that proceeds of tax-exempt debt are not deemed to be expended when such proceeds are used for reimbursement of expenditures made prior to the date of issuance of such debt unless certain procedures are followed, one of which is a requirement that prior to the payment of any such expenditures, the issuer declares an intention to reimburse such expenditure; and

WHEREAS, it is in the public interest and for the public benefit that DSPUD declares its official intent to reimburse the expenditures referenced herein.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Description of Project. The Board hereby declares that it reasonably expects DSPUD to issue tax-exempt obligations in one or more series (the “Obligations”) for the purpose of paying the costs of the Project and related capital improvements.

Section 2. DSPUD Expectations. DSPUD hereby declares that it reasonably expects to pay certain costs of the Project prior to the date of issuance of the Obligations and to use a portion of the proceeds of the Obligations for reimbursement of expenditures for the Project that are paid before the date of issuance of the Obligations. The maximum principal amount of Obligations expected to be issued is \$6,000,000.

Section 3. Effective Date. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the Board of Directors of Donner Summit Public Utility District, this 26th day of March 2024, by the following vote:

AYES: *Cathy Preis, Dawn Parkhurst, Joni Kaufman, Phil Genick, Craig Combs*
NOES: *None*
ABSENT: *None*
ABSTAIN: *None*

DONNER SUMMIT PUBLIC UTILITY DISTRICT

By: 
Cathy Preis
President, Board of Directors

ATTEST:
By: 
Dawn Parkhurst
Secretary of the Board