

CLEVELAND PUBLIC LIBRARY

Finance Committee

January 16, 2018

A RESOLUTION DECLARING OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR ORIGINAL EXPENDITURES PRIOR TO ISSUANCE

WHEREAS, Treasury Regulation §1.150-2 issued pursuant to Section 150 of the Internal Revenue Code of 1986, as amended (the “Code”), prescribes certain requirements by which proceeds of tax-exempt bonds, notes, certificates or other obligations included in the meaning of “bonds” under Section 150 of the Code used to reimburse advances made for Original Expenditures (as defined in Treasury Regulation §1.150-2), may be deemed spent for purposes of Sections 103 and 141 - 150 of the Code, and therefore no longer subject to requirements or restrictions under those sections of the Code; and

WHEREAS, Treasury Regulation §1.150-2 requires that this Board, as an “Issuer” of the bonds, make a Declaration of Official Intent to reimburse Original Expenditures paid prior to issue of bonds intended to fund such Original Expenditures, no later than sixty (60) days after payment of the Original Expenditures, and further requires that any proceeds of such bonds be used to reimburse the Original Expenditures no later than eighteen (18) months after the later of the date of payment of the Original Expenditure or the date the property resulting from the Original Expenditures is placed into service, but in no event more than three (3) years after payment of the Original Expenditures; and

WHEREAS, the Board of Library Trustees wishes to take steps to comply with the Treasury Regulation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Library Trustees of Cleveland Public Library, County of Cuyahoga, Ohio, that:

Section 1. Declaration of Official Intent. The Board of Trustees of the Cleveland Public Library reasonably expects that Original Expenditures for the Safe, Warm and Dry Project, the South Renovation Project, the Martin Luther King, Jr. New Branch Project, the Lakeshore Roof Replacement Project, the Union Roof Project, the Glenville Parking Lot Project, and other Original Expenditures for the purchase, lease, improvement, construction, renovation, remodel and equipment necessary for the proper maintenance and operation of Cleveland Public Library buildings or parts of buildings, will be reimbursed with proceeds of bonds or notes to be issued by the Library; and

Section 2. Intent to Issue Bonds. The maximum principal amount of bonds or notes to be issued is expected to be Twenty-Seven Million Dollars (\$27,000,000.00), or such other amount as is necessary to pay actual costs of these projects; and

Section 3. Purpose. The purpose of this Resolution is for the Board of Trustees to declare its “official intent” for the issuance of bonds or notes within the meaning of US Treasury Regulation §1.150-2; and

Section 4. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board or committees, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 5. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof.

Section 6. Effective Date. This Resolution shall be in full force and effect from and immediately upon its adoption.

_____ Seconded the motion.

Upon roll call on the adoption of the Resolution, the vote was as follows:

CERTIFICATION

The above is a true and correct extract from the minutes of a regular meeting of the Board of Library Trustees of the Cleveland Public Library, Ohio, held on _____, commencing at _____ p.m., in the Board Room on the 10th Floor of the Louis Stokes Wing of the Main Library, 325 Superior Avenue, Cleveland, Ohio, showing the adoption of the Resolution hereinabove set forth.

Dated: _____ -

Michael Fisher
Assistant to the Board of Trustees
Cleveland Public Library, Ohio