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MEMORANDUM

TO: Doug Russell, City Manager 

FROM: Charles Harball, City Attorney

SUBJECT: Resolution No. 5865 – Declaring the Intent of the City to Reimburse Certain Original Expenditures Related to the Construction and Equipping of Westside Interceptor from Proceeds of Tax-Exempt Bonds to be Issued by City

MEETING DATE: April 16, 2018 – Regular Council Meeting

BACKGROUND: The City has determined to construct what is known as the Westside Interceptor, a necessary substructure of the sanitary sewer conveyance system to augment its existing sanitary sewer utility. The acquisition of the needed property rights is nearing completion and the preliminary engineering of the project is complete. The financing of the project through the issuance of bonds through the State Revolving Fund is contingent upon the completion of these tasks.

The City is in the process of arranging with the State Revolving Loan Fund to finance the project. It is customary and prudent in such financed projects as this for the City Council to pass a resolution stating its intent to use proceeds from the bonds issued by the City for the project to reimburse the City for the preliminary funds it has expended on the project prior to securing the financing.

RECOMMENDATION: It is recommended that the Council consider and pass Resolution No. 5865.

ALTERNATIVES: Council may seek to amend the Resolution, reject the Resolution or continue the matter for further consideration.

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting City Clerk of the City of Kalispell, Montana (the "City"), hereby certify that the attached resolution is a true copy of a Resolution entitled: **"RESOLUTION DECLARING THE OFFICIAL INTENT OF THE CITY OF KALISPELL, MONTANA TO REIMBURSE CERTAIN ORIGINAL EXPENDITURES RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE WESTSIDE INTERCEPTOR AND SEWER LINE A REPLACEMENT PROJECT FROM THE PROCEEDS OF TAX-EXEMPT BONDS TO BE ISSUED BY THE CITY AFTER THE PAYMENT OF SUCH ORIGINAL EXPENDITURES"** (the "Resolution"), on file in the original records of the City in my legal custody; that the Resolution was duly adopted by the City Council of the City at a regular meeting on April 16, 2018 and that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following members of the City Council voted in favor thereof:

voted against the same:

abstained from voting thereon: or were absent:

WITNESS my hand officially this ____ day of April, 2018.

City Clerk

