

ITEMS TO INCLUDE ON AGENDA FOR SEPTEMBER 14, 2020

WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY

- Resolution to consider and approve an Amended and Restated 28E Agreement between Woodbury County, Iowa and the Woodbury County Law Enforcement Center Authority for the payment of certain design, engineering, testing and project management fees for the Law Enforcement Center.
- Resolution declaring an official intent under Treasury Regulation 1.150-2 to issue debt to reimburse certain original expenditures paid in connection with specified Projects.

NOTICE MUST BE GIVEN PURSUANT TO IOWA CODE
CHAPTER 21 AND THE LOCAL RULES OF THE
AUTHORITY.

September 14, 2020

The Board of Commissioners of the Woodbury County Law Enforcement Center Authority, met in open session, in the First Floor Supervisors' Board Room, Woodbury County Courthouse, 620 Douglas St., Room 105, Sioux City, IA, at 11:30 o'clock A.M., on the above date. There were present the following named Commissioners:

Ron Wieck, Dan Moore

Absent: Rocky De Witt

Vacant: _____

* * * * *

Commissioner Moore introduced the following Resolution entitled "A RESOLUTION APPROVING AN AMENDED AND RESTATED 28E AGREEMENT WITH THE WOODBURY COUNTY BOARD OF SUPERVISORS CONCERNING THE PAYMENT OF COSTS FOR CERTAIN DESIGN, ENGINEERING, TESTING AND PROJECT MANAGEMENT SERVICES" and moved that it be adopted. Commissioner Wieck seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: Wieck, Moore

NAYS: _____

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

A RESOLUTION APPROVING AN AMENDED AND RESTATED 28E AGREEMENT WITH THE WOODBURY COUNTY BOARD OF SUPERVISORS CONCERNING THE PAYMENT OF COSTS FOR CERTAIN DESIGN, ENGINEERING, TESTING AND PROJECT MANAGEMENT SERVICES

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority") was created pursuant to Iowa Code Section 346.27, by its incorporating units, Woodbury County, Iowa (the "County") and Sioux City, Iowa, for purposes of constructing and owning a new law enforcement center ("Project"); and

WHEREAS, the Authority intends to finance the entire cost of the Project, including certain fees for the design, engineering, testing and project management, by issuing revenue bonds; and

WHEREAS, certain design, engineering, testing and project management fees for the Project will become due prior to the issuance of said bonds; and

WHEREAS, the Board of Supervisors for the County and the Board of Commissioners of the Authority have determined it to be in the best interests of their respective constituencies and incorporating units to cooperate in the payment of the design, engineering, testing and project management fees for the Project; and

WHEREAS, the parties desire to enter into an amended and restated contract under Chapter 28E of the Code of Iowa in order to define their respective rights and obligations in connection

WHEREAS, the parties desire to enter into an amended and restated contract under Chapter 28E of the Code of Iowa in order to define their respective rights and obligations in connection with payment associated with certain design, engineering, testing and project management fees for the Project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:


The Chairperson is hereby authorized and directed to execute the proposed Amended and Restated 28E Agreement with the County and such Amended and Restated 28E Agreement shall be filed with the Iowa Secretary of State pursuant to Section 28E.8 of the Code Iowa.

PASSED AND APPROVED this 14th day of September, 2020.



Chairperson, Board of Commissioners

ATTEST:



Secretary, Board of Commissioners

Commissioner Moore introduced the following Resolution entitled "RESOLUTION DECLARING AN OFFICIAL INTENT UNDER TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO REIMBURSE CERTAIN ORIGINAL EXPENDITURES PAID IN CONNECTION WITH SPECIFIED PROJECTS" and moved that it be adopted. Commissioner Wieck seconded the motion to adopt, and the roll being called thereon, the vote was as follows:

AYES: Wieck, Moore

NAYS: _____

Whereupon, the Chairperson declared the Resolution duly adopted as follows:

RESOLUTION DECLARING AN OFFICIAL INTENT UNDER
TREASURY REGULATION 1.150-2 TO ISSUE DEBT TO
REIMBURSE CERTAIN ORIGINAL EXPENDITURES PAID IN
CONNECTION WITH SPECIFIED PROJECTS

WHEREAS, the Woodbury County Law Enforcement Center Authority (the "Authority") anticipates making cash expenditures for one or more capital improvement projects, generally described below (each of which shall hereinafter be referred to as a "Project"); and

WHEREAS, the Authority reasonably expects to issue debt to reimburse the costs of a Project; and

WHEREAS, the Board of Commissioners believes it is consistent with the Authority's budgetary and financial circumstances to issue this declaration of official intent.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE WOODBURY COUNTY LAW ENFORCEMENT CENTER AUTHORITY:

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 will be made in respect of the following Project(s), from time to time and in such amounts as this Board determines to be necessary or desirable under the circumstances then and there existing.

Section 3. That the Authority reasonably expects to reimburse all or a portion of the following expenditures with the proceeds of bonds, notes or other indebtedness to be issued or incurred by the Authority in the future.

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

<u>Project</u>	<u>Fund from which original expenditures are to be Advanced</u>	<u>Total Estimated Cost</u>	<u>Amount of Borrowing Anticipated</u>	<u>Estimated Date of Completion</u>
Design, engineering, testing and project management fees under the Amended and Restated 28E Agreement with Woodbury County, Iowa	<i>General Basic</i>	\$1,000,000	\$25,000,000	<i>11-30-20</i>

Section 5. That the Authority reasonably expects to reimburse the above-mentioned Project costs not later than the later of eighteen months after the capital expenditures are paid or eighteen months after the property is placed in service, but in no event more than three (3) years after the original expenditure is paid.

Section 6. That this Resolution be maintained by the Authority in an Official Intent File maintained in the office of the Woodbury County Auditor and available at all times for public inspection, subject to such revisions as may be necessary.

PASSED AND APPROVED this 14 day of Sept, 2020.

Don Weick
 Chairperson, Board of Commissioners

ATTEST:

Ja C Moore
 Secretary, Board of Commissioners

CERTIFICATE

STATE OF IOWA)
) SS
COUNTY OF WOODBURY)

I, the undersigned Secretary of the Board of Commissioners of the Woodbury County Law Enforcement Center Authority (“Authority”), do hereby certify that attached is a true and complete copy of the portion of the records of the Authority showing proceedings of the Board of Commissioners, and the same is a true and complete copy of the action taken by the Board of Commissioners with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Board of Commissioners and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Board of Commissioners (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Board of Commissioners and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective offices as indicated therein, that no vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the Authority or the right of the individual named therein as officers to their respective positions.

14th WITNESS my hand and the seal of the Board of Commissioners hereto affixed this day of September, 2020.



Secretary, Woodbury County Law Enforcement
Center Authority