

**ORIGINAL**

RESOLUTION 2011 - 32

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE,  
WASHINGTON, AUTHORIZING THE DEPUTY CITY MANAGER/CHIEF  
FINANCIAL OFFICER OR CITY MANAGER TO DESIGNATE CERTAIN  
EXPENDITURES FOR POTENTIAL REIMBURSEMENT FROM BONDS THAT  
MAY BE AUTHORIZED AND APPROVED FOR ISSUANCE BY THE CITY  
COUNCIL IN THE FUTURE**

**WHEREAS**, the City of Sunnyside, Washington (the "City") issues tax-exempt and tax-advantaged obligations from time to time (including bonds, leases and lines of credit) for the purpose of financing its governmental activities; and

**WHEREAS**, the United States Department of the Treasury has promulgated regulations limiting the ability of the City to use the proceeds of tax-exempt and taxable Build America Bond obligations for reimbursement of prior expenditures; and

**WHEREAS**, the regulations permit the City to appoint one or more officials for the purpose of identifying and qualifying capital projects for reimbursement purposes;

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF SUNNYSIDE, WASHINGTON, as follows:**

**SECTION 1. Appointment of Deputy City Manager/Chief Financial Officer or City Manager.** Pursuant to U.S. Treasury Regulation Section 1.150-2(e)(1), the City Council hereby designates and appoints the Deputy City Manager/Chief Financial Officer or City Manager in the absence of the Deputy City Manager/Chief Financial Officer as the responsible officials for the purpose of issuing statements of official intent in compliance with Treasury Regulation Section 1.150-2.

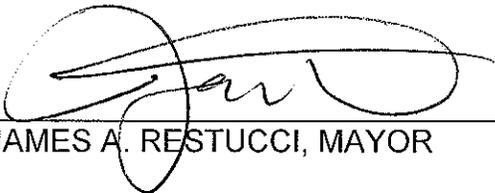
**SECTION 2. Statements of Official Intent.** Upon a determination by the Deputy City Manager/Chief Financial Officer or City Manager in the absence of the Deputy City Manager/Chief Financial Officer that the costs of a particular capital project may be reimbursed from the proceeds of a tax-exempt or tax-advantaged obligation(s) of the City, the Deputy City Manager/Chief Financial Officer or City Manager in the absence of the Deputy City Manager/Chief Financial Officer are authorized and directed to execute a certificate of official

intent, substantially in the form attached hereto as Exhibit A. Each certificate so executed shall become a part of the official records of the City available for public inspection and review.

No capital projects will be undertaken unless such projects have been previously approved in the customary manner by the City Council, and the execution of any intent certificate shall not obligate the City to issue any debt all of which shall require separate and additional official approval by the City Council.

**SECTION 3.** This Resolution shall be effective upon passage, approval and signatures hereon in accordance with law.

**PASSED** this 23<sup>rd</sup> day of May, 2011.

  
\_\_\_\_\_  
JAMES A. RESTUCCI, MAYOR

ATTEST:

  
\_\_\_\_\_  
DEBORAH A. ESTRADA, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
MENKE JACKSON BEYER EHLIS & HARPER, LLP  
Attorneys for the City of Sunnyside

## CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting City Clerk of the City of Sunnyside, Washington (the "City"), and keeper of the records of the City Council of the City (herein called the "Council"), DO HEREBY CERTIFY:

1. That the attached Resolution No. 2011-32 (herein called the "Resolution") is a true and correct copy of a resolution of the City, as passed at a regular meeting of the Council held on the 23<sup>rd</sup> day of May, 2011 and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Resolution; that all other requirements and proceedings incident to the proper passage of the Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of May, 2011.

  
\_\_\_\_\_  
City Clerk  
City of Sunnyside, Washington

**EXHIBIT A**

**FORM OF OFFICIAL INTENT CERTIFICATE**

Pursuant to Resolution No. 2011-32 of the City Council of the City of Sunnyside, Washington (the "City"), the undersigned, Deputy City Manager/Chief Financial Officer or City Manager in the absence of the Deputy City Manager/Chief Financial Officer of the City hereby states as follows:

**SECTION 1.** The City reasonably expects to reimburse the expenditures described herein with the proceeds of debt to be incurred by the City (the "Reimbursement Bonds").

**SECTION 2.** The maximum principal amount of Reimbursement Bonds expected to be issued is \$ \_\_\_\_\_.

***[Select one version of Section 3]***

**SECTION 3.** The expenditures with respect to which the City reasonably expects to be reimbursed from the proceeds of Reimbursement Bonds are for \_\_\_\_\_ [insert general functional description of the property, project or program].

**OR**

**SECTION 3.** The expenditures with respect to which the City reasonably expects to be reimbursed from the proceeds of Reimbursement Bonds will be made from \_\_\_\_\_ [insert name of fund or account from which the expenditure will be made and description of the functional purpose of the fund, for example, capital improvement program].

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Deputy City Manager/Chief Financial Officer or  
City Manager in the absence of the Deputy City  
Manager/Chief Financial Officer