

**RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES  
FROM PROCEEDS OF BORROWING**

**WHEREAS** the City of Manitowoc, Manitowoc County, Wisconsin (the “Municipality”) proposes to undertake the replacement of private lead service lines throughout the City of Manitowoc,(the “Project”) provided funding is approved; and

**WHEREAS**, the Municipality expects to finance the Project on a long-term basis by issuing tax-exempt bonds or promissory notes (the “Bonds”); and

**WHEREAS**, because the Bonds will not be issued prior to September 1, 2024, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

**WHEREAS**, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Common Council of the City of Manitowoc, that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from its funds on hand to pay the costs of the Project until Bond proceeds become available.

Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under Treas. Regs. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$5,574,800.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the City Clerk's office within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

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APPROVED \_\_\_\_\_  
Justin M. Nickels, Mayor

**Fiscal Impact:** Anticipated \$0 fiscal impact to the City as the \$5,574,800 in expenditure obligations will be the responsibility of Manitowoc Public Utilities (MPU) if bond proceeds are unavailable and if/when principal/interest payments of revenue pledge borrowing occur. In the event MPU is unable to meet the obligations detailed above, City would be responsible for expenses. No additional tax levy or 2024 budget amendments needed at the time.

**Funding Source:** MPU

**Finance Director Approval:** /SMA

**Approved as to form:** /EGN

This Resolution was drafted by Eric. G. Nycz, City Attorney