

PUBLIC NOTICE

Notice is Hereby Given that Municipal Building Authority of Tooele City will meet in a Business Meeting on Wednesday, May 17, 2023, at 7:00 p.m. The Meeting will be Held in the Tooele City Hall Council Chambers, Located at 90 North Main Street, Tooele, Utah. The Complete public notice is posted on the Utah Public Notice Website www.utah.gov, the Tooele City Website www.tooelecity.org, and at Tooele City Hall. To request a copy of the public notice or for additional inquiries please contact Michelle Pitt, City Recorder at (435)843-2111 or michellep@tooelecity.org

We encourage you to join the MBA meeting electronically by visiting the **Tooele City YouTube Channel**, at <https://tinyurl.com/ykjpjx4z> or by going to YouTube.com and searching "Tooele City Channel".

AGENDA

1. **Open MBA Meeting**
2. **Roll Call**
3. **Resolution 2023-01** A Resolution Of The Board Of The Municipal Building Authority Of Tooele City, Utah Declaring Its Intention To Reimburse Itself For Expenditures Incurred In Connection With The Construction Of A New Fire Station With Proceeds Of Bonds That It Intends To Issue, And Related Matters
Presented by Shannon Wimmer, Finance Director
4. **Adjourn**

Michelle Y. Pitt, MBA Secretary

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at 435-843-2111 or michellep@tooelecity.org, Prior to the Meeting.

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE GOVERNING BOARD OF THE MUNICIPAL BUILDING AUTHORITY OF TOOEELE CITY, UTAH

NOTICE IS HEREBY GIVEN that a Special Meeting of the Governing Board (the "Board") of the Municipal Building Authority of Tooele City, Utah (the "Issuer"), will be held at the Board's Regular Meeting Place at 7:00 p.m. on May 17, 2023, for the purpose of authorizing a Reimbursement Resolution (the "Resolution") of the Issuer of its intent to issue bonds to finance and or reimburse the Issuer or Tooele City (the "City") for costs related to a new Fire Station (the "Project"). The Resolution contemplates that the Issuer intends on issuing bonds in an approximate amount of \$9,000,000 to be used in part or in whole to reimburse the Issuer or City for expenses incurred related to the Project, and for the transaction of such other business incidental to the foregoing as may come before said meeting. The meeting will be held in the Tooele City Hall Council Room Located at 90 North Main Street, Tooele, Utah.

Michelle Y. Pitt
Board Secretary

Pursuant to the Americans with Disabilities Act, Individuals Needing Special Accommodations Should Notify Michelle Y. Pitt, Tooele City Recorder, at (435) 843-2111 or michellep@tooelecity.org Prior to the Meeting.

ACKNOWLEDGEMENT OF NOTICE AND CONSENT TO SPECIAL MEETING

We, the Chair and Members of the Governing Board of the Municipal Building Authority of Tooele City, Utah (thee “Board”), do hereby acknowledge receipt of the forgoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the time and place specified in said notice, and to the transaction of any and all business which may come before said meeting.

Board Chair

Board Member

Board Member

Board Member

Board Member

THE MUNICIPAL BUILDING AUTHORITY OF TOOEELE CITY, UTAH
OR TOOEELE CITY, UTAH

May 17, 2023

The Governing Board (the “Board”) of the Municipal Building Authority of Tooele City, Utah (the “Authority”), met in a regular public session, May 17, 2023, at the hour of 7 p.m. with the following members of the Board being present:

Justin Brady	Board Chair
Ed Hansen	Board Vice-Chair
Tony Graf	Board Member
Maresa Manzione	Board Member
Dave McCall	Board Member

Also present:

Debbie Winn	Mayor
Michelle Pitt	Board Secretary

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this Resolution had been discussed, a Certificate of Compliance with Open Meeting Law with respect to this May 17, 2023, meeting was presented to the Board, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in writing, was fully discussed, and pursuant to motion duly made by Board Member _____ and seconded by Board Member _____, adopted by the following vote:

Those voting AYE:

Those voting NAY:

The resolution was then signed by the Board Chair. The resolution is as follows:

RESOLUTION NO. 2023-01

A RESOLUTION OF THE BOARD OF THE MUNICIPAL BUILDING AUTHORITY OF TOOELE CITY, UTAH DECLARING ITS INTENTION TO REIMBURSE ITSELF FOR EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION OF A NEW FIRE STATION WITH PROCEEDS OF BONDS THAT IT INTENDS TO ISSUE, AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), The Municipal Building Authority of Tooele City, Utah (the “Issuer”), is authorized to issue bonds for the municipal purposes set forth in the Act; and

WHEREAS, the Issuer has determined that it would be in furtherance of the purpose of the Issuer and the Act to issue bonds (the “Bonds”) to finance construction of a new Fire Station and all related improvements (the “Project”); and

WHEREAS, the Issuer plans to issue the Bonds and use a portion of the proceeds of the Bonds to reimburse itself or Tooele City, Utah (the “City”) for expenditures incurred by the Issuer or the City relating to the Project and incurred prior to the date of issuance of the Bonds.

NOW THEREFORE, BE IT RESOLVED by the Governing Board of the Municipal Building Authority of Tooele City, Utah, as follows:

Section 1. All terms defined in the foregoing recitals hereto shall have the same meanings when used herein.

Section 2. The Board of the Issuer (the “Board”) hereby finds and determines that it is in the best interests of the Issuer to issue bonds in the approximate amount of \$9,000,000 (the “Bonds”) for the purpose of financing the Project. The Issuer hereby declares its intent to issue the Bonds and to use a portion of the proceeds thereof to reimburse itself or the City for expenditures incurred by the Issuer or the City relating to the Project and incurred prior to the date of issuance of the Bonds.

Section 3. If any provisions of this Resolution should be held invalid, the invalidity of such provision shall not affect the validity of any of the other provisions of this Resolution.

Section 4. All resolutions of the Board or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency.

Section 5. This Resolution shall become effective immediately upon its adoption.

Section 6. The Issuer hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself or the City for initial expenditures for costs incurred related to the Project. The Bonds are to be issued, and the reimbursements made, by the later of 24 months after the payment of the costs or after the Project is placed in service, but in any event, not later than 2 years after the date the original expenditure was paid. The maximum principal amount of the Bonds which will be issued to finance the reimbursed cost of the Project is not expected to exceed \$9,000,000.

Section 7. The Issuer hereby declares its intention that either the Issuer or the City intend to own the Series 2023 Project throughout its useful life and that ownership of the Project by the Issuer or the City furthers a legitimate public purpose.

Section 8. The Issuer hereby reserves the right to opt not to issue the Bonds for any reason.

APPROVED AND ADOPTED by the Governing Board of the Municipal Building Authority of Tooele City, Utah, this May _____, 2023.

MUNICIPAL BUILDING AUTHORITY
OF TOOELE CITY, UTAH

(SEAL)

By: _____
Board Chair

ATTEST:

By: _____
City Recorder

APPROVED AS TO FORM:

By: _____
City Attorney

STATE OF UTAH)
 : ss.
COUNTY OF TOOELE)

I, Michelle Pitt, the duly qualified and acting City Recorder of Tooele City, Utah and the Board Secretary of the Municipal Building Authority of Tooele City, Utah (the “Issuer”) do hereby certify according to the records of the Board of the Issuer (“Board”) in my possession that the foregoing constitutes a true, correct, and complete copy of the proceedings of the regular meeting of the Board held on May 17, 2023, as it pertains to a resolution (the “Resolution”) adopted by the Board at said meeting, as said minutes and Resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of the Issuer this May 17, 2023.

(SEAL)

By: _____
Board Secretary

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Michelle Pitt, the duly qualified and acting City Recorder of Tooele City, Utah and the Board Secretary of the Municipal Building Authority of Tooele City, Utah (the "Issuer"), do hereby certify, according to the records of the Issuer in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time, and place of the May 17, 2023, public meeting held by the Governing Board of the Issuer (the "Board") as follows:

(a) By causing a Notice of Special Meeting, in the form attached hereto as Schedule 1, to be posted at the Issuer's principal offices at least twenty-four (24) hours prior to the convening of the meeting, said Notice of Special Meeting having continuously remained so posted and available for public inspection until the completion of the meeting.

(b) By causing a Notice of Special Meeting, in the form attached hereto as Schedule 1, to be delivered to *Transcript-Bulletin*, a newspaper of general circulation within the Issuer, either directly or through the newspaper's subscription to the Utah Public Notice Website (<https://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting, and to each local media correspondent requesting notice of the Issuer's or City Council meetings.

(c) By causing a copy of such Notice of Special Meeting, in the form attached hereto, to be published on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my signature this May _____, 2023.

(SEAL)

By: _____
Board Secretary