

1 **BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO**

2 A RESOLUTION OF THE SAN BENITO COUNTY) Resolution No. 2018-_____
3 BOARD OF SUPERVISORS DECLARING AN)
4 INTENTION TO REIMBURSE EXPENDITURES FOR)
5 CERTAIN CAPITAL PROJECTS FROM THE)
6 PROCEEDS OF TAX-EXEMPT OBLIGATIONS)

7 **WHEREAS**, the County of San Benito (the "County") intends to issue tax-exempt bonds or
8 certificates of participation (the "Obligations") in order to provide funds to aid in the construction of
9 the Behavioral Health Center, the construction of a new 17,500 square-foot facility located on
10 Assessor's Parcel Numbers: 051-110-030-000 and 051-110-031-000, Hollister, CA 95023 (the
11 "Project"); and

12 **WHEREAS**, United States Income Tax Regulations section 1.150-2 provides generally that
13 proceeds of tax-exempt debt are not deemed to be expended when such proceeds are used for
14 reimbursement of expenditures made prior to the date of issuance of such debt unless certain
15 procedures are followed, one of which is a requirement that (with certain exceptions), prior to the
16 payment of any such expenditure, the issuer declares an intention to reimburse such expenditure;
17 and

18 **WHEREAS**, the County intends to expend funds for the Project and to reimburse itself, in whole or
19 in part, from the proceeds of the Obligations; and

20 **WHEREAS**, the County Board of Supervisors wishes at this time to take the necessary actions to
21 declare its official intent to reimburse the expenditures referenced herein from the proceeds of the
22 Obligations.

23 **NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of San
24 Benito that it hereby finds and determines as follows:

- 25 1. Issuance of Obligations. The Board of Supervisors hereby confirms its intention to issue
26 the Obligations to finance all or a portion of the Project. The total project cost is
27 estimated to be \$11,033,000.00, with some of the expenditures to be funded from the
28 Behavioral Health Trust Fund. Initial expenditures to be reimbursed are anticipated to
come from the San Benito County General Fund.
- 29 2. Reimbursement. The Board of Supervisors hereby declares that it may (i) pay certain
30 costs of the Project prior to the date of issuance of the Obligations and, in such case,
31 (ii) intends to use a portion of the proceeds of the Obligations for reimbursement of
32 expenditures for the Project that are paid before the date of issuance of the Obligations
33 but not earlier than 60 days prior to the date of adoption of this Resolution.
- 34 3. Effective Date of Resolution. This Resolution shall take effect from and after the date of
its passage and adoption.

1 PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN
2 BENITO THIS 11th DAY OF DECEMBER, 2018 BY THE FOLLOWING VOTE:

3 Ayes: Supervisor(s):
4 Noes: Supervisor(s):
5 Absent: Supervisor(s):
6 Abstain: Supervisor(s)

7 By: _____
8 Anthony Botelho, Chair

9 **ATTEST:**
10 Janet Slibsager, Clerk of the Board

11 **APPROVED AS TO LEGAL FORM:**
12 San Benito County Counsel's Office

13 By: _____

14 By: Shirley L. Murphy
15 Shirley L. Murphy, Deputy County Counsel

16 Date: _____

17 Date: Dec. 5, 2018

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