

**MURRAY**  
CITY COUNCIL

# Municipal Building Authority

## October 15, 2019



**MURRAY**  
CITY COUNCIL

**NOTICE OF MEETING**  
**MUNICIPAL BUILDING AUTHORITY**  
**OF MURRAY CITY, UTAH**

**NOTICE IS HEREBY GIVEN** that the Municipal Building Authority of Murray City, Utah will meet on Tuesday, October 15, 2019, at the Murray City Center, 5025 South State Street, Murray, Utah.

**6:30 p.m.** To be held in the Council Chambers  
Dave Nicponski, President, conducting.

**New Business**

1. Minutes approval – October 1, 2019
2. Consider adoption of a resolution of the Municipal Building Authority of Murray City, Utah authorizing the issuance and sale of not more than \$37,000,000 aggregate principal amount of Lease Revenue Bonds, Series 2020; and related matters. (Brenda Moore presenting.)

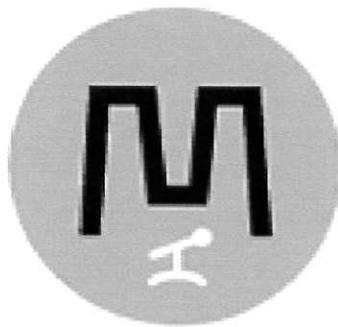
**Adjournment**

**NOTICE**

**SPECIAL ACCOMMODATIONS FOR THE HEARING OR VISUALLY IMPAIRED WILL BE MADE UPON A REQUEST TO THE OFFICE OF THE MURRAY CITY RECORDER (801-264-2663). WE WOULD APPRECIATE NOTIFICATION TWO WORKING DAYS PRIOR TO THE MEETING. TTY is Relay Utah at #711.**

On, Friday, October 11, 2019 at 9:00 a.m., a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Murray City Center, Murray, Utah. Copies of this notice were provided for the news media in the Office of the City Recorder and also sent to them by facsimile copy. A copy of this notice was posted on the state noticing website at <http://pmn.utah.gov> and on Murray City's internet website [www.murray.utah](http://www.murray.utah).

Janet M. Lopez  
Council Executive Director  
Murray City Municipal Council



**MURRAY**  
CITY COUNCIL

# Municipal Building Authority Minutes



**MUNICIPAL BUILDING AUTHORITY OF MURRAY CITY, UTAH  
BOARD OF TRUSTEES**

The Board of Trustees of the Municipal Building Authority of Murray City, Utah, met on Tuesday, October 1, 2019, in the Council Chambers at the Murray City Center, 5025 South State Street, Murray, Utah.

Trustees in attendance were Dave Nicponski, President/Trustee; Dale Cox, Trustee; Diane Turner, Treasurer/Trustee; and Brett Hales, Secretary/Trustee.

Jim Brass, Vice-President/Trustee was excused.

Others in attendance were Blair Camp, Mayor; Janet M. Lopez, Council Executive Director; G.L. Critchfield, City Attorney; Jennifer Kennedy, City Recorder; Doug Hill, Chief Administrative Officer; Jennifer Heaps, Communications and Public Relations Director, other city staff and citizens.

The meeting was called to order at 6:30 p.m. by President Nicponski, who welcomed those in attendance.

**New Business**

**Election of a Secretary-Treasurer of the Municipal Building Authority.**

Mr. Nicponski asked for nominations for a person to fill the position of Secretary-Treasurer.

Ms. Turner nominated Mr. Hales, who agreed to serve if elected. There were no further nominations.

**Trustee roll call vote:**

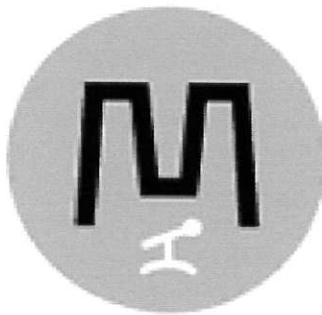
Mr. Cox	Aye
Ms. Turner	Aye
Mr. Hales	Aye
Mr. Nicponski	Aye

Nomination approved 4 - 0

**Adjournment**

There being no further business, Ms. Turner moved to adjourn the meeting. Mr. Cox seconded; the motion passed 4 - 0.

Pattie Johnson  
Council Administrative Assistant



**MURRAY**  
CITY COUNCIL

# Parameters Resolution Municipal Building Authority



# Overview of Lease Revenue Financings

Murray City (City Hall Financing)

October 15, 2019

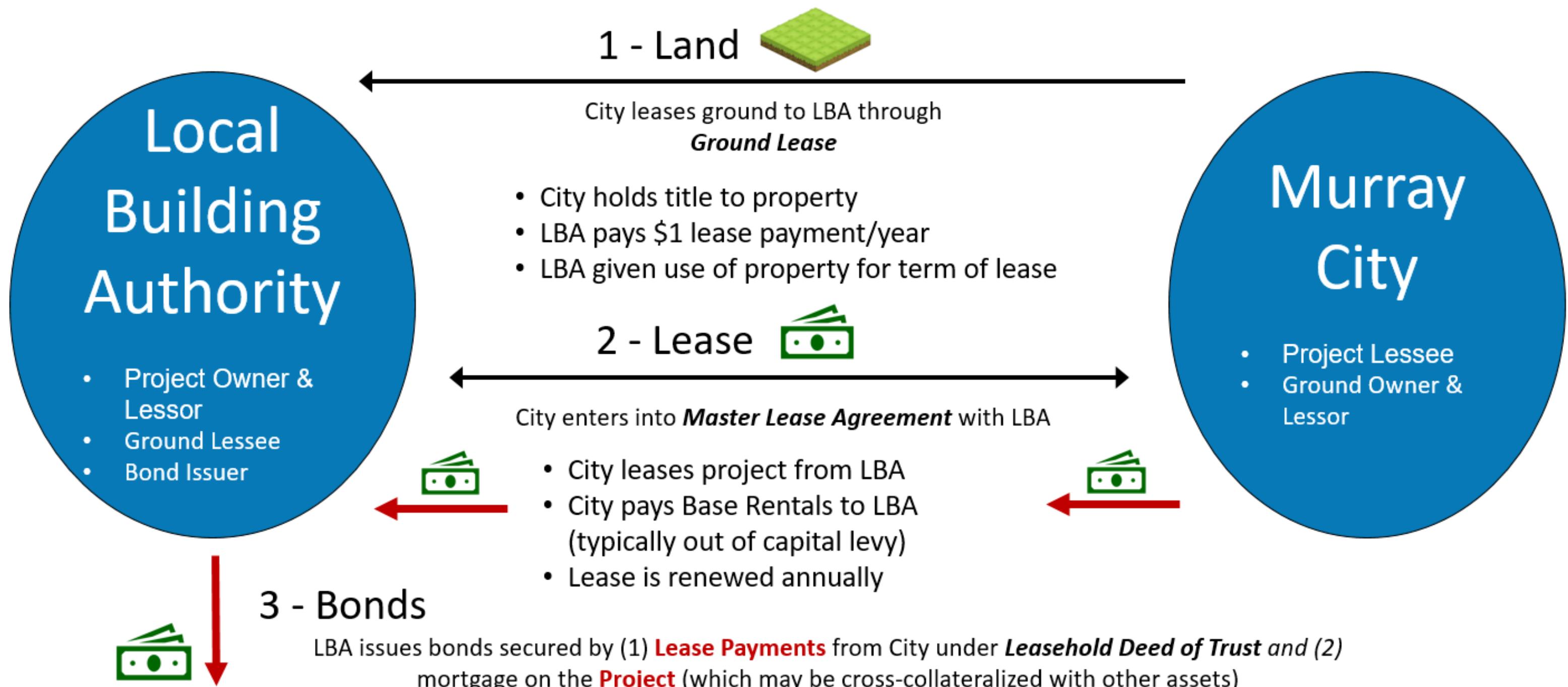
## BASIC GOVERNMENTAL BONDS

GENERAL GOVERNMENT PROJECT FINANCING			
TYPE	USES	SECURITY	CONSIDERATIONS
General Obligation Bonds	Any capital improvement/project (G.O. pledge) <u>approved by voters.</u>	Full faith and credit (taxing power) of the City.	<ul style="list-style-type: none"> <li>- Requires a majority vote</li> <li>- Subject to statutory limits</li> <li>- Lowest interest rates</li> <li>- No reserve fund required</li> </ul>
Revenue Bonds			
Sales Tax (Excise Tax)	Any general governmental purpose project (new construction or upgrades). <b>Very limited project restrictions.</b>	Sales tax revenues, excise tax revenues, franchise tax revenues.	<ul style="list-style-type: none"> <li>- No vote required</li> <li>- May require a reserve fund</li> <li>- Coverage considerations</li> </ul>
Lease Revenue	<b>Essential purpose</b> governmental projects (new construction or upgrades).	Annual appropriations from the general fund budget to make lease payments.	<ul style="list-style-type: none"> <li>- No vote required</li> <li>- Lien on financed property/project</li> <li>- May require a reserve fund</li> <li>- May require capitalized interest</li> </ul>
Enterprise Revenue (Water/Sewer/Storm/Electric)	Revenue generating enterprise projects (new construction or upgrades). Typical enterprise fund projects ( <b>water, sewer, electric, storm drain, etc.</b> ).	Revenues generated from enterprise system.	<ul style="list-style-type: none"> <li>- No vote required</li> <li>- Typically require a reserve fund</li> <li>- Coverage considerations</li> </ul>



DEVELOPMENT FINANCING			
TYPE	USES	SECURITY	CONSIDERATIONS
Assessment Financing	Specific improvements within a designated improvement area (curb, gutter, streets, etc.).	Assessments levied on properties within the improvement area.	<ul style="list-style-type: none"> <li>- Requires property owner approval</li> <li>- Requires assessment ordinance and notices</li> <li>- Requires annual billing/collection</li> <li>- Typically require a reserve fund</li> <li>- Coverage considerations (property value)</li> </ul>
Increment Financing	Economic development projects (new construction or upgrades.	Incremental tax revenues.	<ul style="list-style-type: none"> <li>- Requires creation of RDA</li> <li>- Requires determination of base values</li> <li>- Typically require reserve fund</li> <li>- Coverage considerations</li> </ul>

# WHAT IS A LEASE REVENUE BOND?



## WHAT IS THE PROCESS?

1. City adopts resolution creating Local/Municipal Building Authority (already created)
2. City and MBA, adopts and authorizes bond parameters resolution, Notice of Bonds to be Issues, and Notice of Public Hearing
3. MBA holds Public Hearing
4. City (via MBA) undertakes typical bonding activities:
  1. Drafting of Preliminary Official Statement
  2. Procuring bond ratings
  3. Selling and closing on bonds
5. City leases project from MBA (memorialized by closing documents)

## BOND PARAMETERS

- **Maximum Par Amount:** \$37,000,000

This is the maximum par amount of bonds that can be issued. If construction costs rise, the City can accept market premium (additional proceeds) in addition to the par amount.

- **Maximum Interest Rate:** 5.50%

This is the maximum interest rate that the City would pay. The actual rate will be lower. The parameters resolution sets the maximum rate high in case there is major market movement.

- **Maximum Term:** 31 Years

This is the maximum term (years) over which the bonds would be amortized. Depending on the timing of the closing on the bonds, the term of the bonds may be slightly over 30 years (i.e. 30 years + 2 months).

- **Maximum Discount:** 2%

This City will not accept purchase offers that are less than 98% of the par amount.

- **Designated Officers:**

These individuals will be authorized to approve the final bond sale results and ensure that the results fit within the parameters the Council has approved.

Mayor

Mayor Pro Tem  
Finance Director

- The MBA Resolution
  - Assigns delegates to act on the behalf of the MBA for the City Hall Project
  - Authorizes the issuance of Bonds to finance the construction of the new City Hall according to the bond Parameters, and the execution of all the matters related to it.
  - Calls for a Public hearing on the issuance of bonds with the appropriate notices to be sent
  - Authorizes entering into a ground lease for the City Hall Property with the City, and a Master Lease Agreement for leasing the building to the City.

- The City Council Resolution
  - Assigns delegates to act on the behalf of the City for the City Hall Financing project
  - Authorizes the issuance and Sale of its lease revenue bond by the MBA to finance the construction of the new City Hall according to the bond Parameters, and the execution of all the matters related to it.
  - Authorizes entering into a ground lease for the City Hall Property with the City, and a Master Lease Agreement for leasing the building to the City.

Stifel, Nicolaus & Company, Incorporated (“Stifel”) has prepared the attached materials. Such material consists of factual or general information (as defined in the SEC’s Municipal Advisor Rule). Stifel is not hereby providing a municipal entity or obligated person with any advice or making any recommendation as to action concerning the structure, timing or terms of any issuance of municipal securities or municipal financial products. To the extent that Stifel provides any alternatives, options, calculations or examples in the attached information, such information is not intended to express any view that the municipal entity or obligated person could achieve particular results in any municipal securities transaction, and those alternatives, options, calculations or examples do not constitute a recommendation that any municipal issuer or obligated person should effect any municipal securities transaction. Stifel is acting in its own interests, is not acting as your municipal advisor and does not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934, as amended, to the municipal entity or obligated party with respect to the information and materials contained in this communication.

Stifel is providing information and is declaring to the proposed municipal issuer and any obligated person that it has done so within the regulatory framework of MSRB Rule G-23 as an underwriter (by definition also including the role of placement agent) and not as a financial advisor, as defined therein, with respect to the referenced proposed issuance of municipal securities. The primary role of Stifel, as an underwriter, is to purchase securities for resale to investors in an arm’s-length commercial transaction. Serving in the role of underwriter, Stifel has financial and other interests that differ from those of the issuer. The issuer should consult with its’ own financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it deems appropriate.

These materials have been prepared by Stifel for the client or potential client to whom such materials are directly addressed and delivered for discussion purposes only. All terms and conditions are subject to further discussion and negotiation. Stifel does not express any view as to whether financing options presented in these materials are achievable or will be available at the time of any contemplated transaction. These materials do not constitute an offer or solicitation to sell or purchase any securities and are not a commitment by Stifel to provide or arrange any financing for any transaction or to purchase any security in connection therewith and may not be relied upon as an indication that such an offer will be provided in the future. Where indicated, this presentation may contain information derived from sources other than Stifel. While we believe such information to be accurate and complete, Stifel does not guarantee the accuracy of this information. This material is based on information currently available to Stifel or its sources and is subject to change without notice. Stifel does not provide accounting, tax or legal advice; however, you should be aware that any proposed indicative transaction could have accounting, tax, legal or other implications that should be discussed with your advisors and /or counsel as you deem appropriate.

NOTICE OF SPECIAL MEETING

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

NOTICE IS HEREBY GIVEN that a special meeting of the Governing Board of the Municipal Building Authority of Murray City, Utah (the "Authority") will be held at the Governing Board's regular meeting place on October 15, 2019, for the purpose of authorizing the issuance and sale of the Authority's Lease Revenue Bonds, Series 2020, in a total principal amount of not more than \$37,000,000, and related matters, and for the transaction of such other business incidental to the foregoing as may come before said meeting.

---

Secretary-Treasurer

ACKNOWLEDGMENT OF NOTICE  
AND CONSENT TO SPECIAL MEETING

We, the Chair/President and Boardmembers of the Governing Board of the Authority, do hereby acknowledge receipt of the foregoing 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.

---

Chair/President

---

Boardmember

---

Boardmember

---

Boardmember

---

Boardmember

Murray, Utah

October 15, 2019

The Boardmembers (the “Governing Board”) of the Municipal Building Authority of Murray City, Utah (the “Authority”), met in special session in Murray, Utah, on October 15, 2019, at 6:30 p.m., with the following Boardmembers being present:

Dave Nicponski	Chair/President
Jim Brass	Boardmember
Dale Cox	Boardmember
Brett Hales	Boardmember
Diane Turner	Boardmember

Also present:

Secretary-Treasurer

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the Secretary-Treasurer presented to the Governing Board a Certificate of Compliance with Open Meeting Law with respect to this October 15, 2019, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Boardmember \_\_\_\_\_ and seconded by Boardmember \_\_\_\_\_, was adopted by the following vote:

AYE:

NAY:

The resolution was then signed by the Chair/President in open meeting and recorded by the Secretary-Treasurer in the official records of the Municipal Building Authority of Murray City, Utah. The resolution is as follows:

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MUNICIPAL BUILDING AUTHORITY OF MURRAY CITY, UTAH (THE “AUTHORITY”) AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$37,000,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS, SERIES 2020 (THE “SERIES 2020 BONDS”); DELEGATING TO CERTAIN OFFICERS OF THE AUTHORITY THE ABILITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SERIES 2020 BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE SERIES 2020 BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE SERIES 2020 BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE SERIES 2020 BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE SERIES 2020 BONDS MAY BE SOLD; CALLING A PUBLIC HEARING; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE EXECUTION BY THE AUTHORITY OF GENERAL INDENTURE OF TRUST AND A FIRST SUPPLEMENTAL INDENTURE OF TRUST, A BOND PURCHASE CONTRACT, A MASTER LEASE AGREEMENT, SECURITY DOCUMENTS, GROUND LEASE, AND OTHER DOCUMENTS NECESSARY FOR THE ISSUANCE OF THE SERIES 2020 BONDS; AUTHORIZING AND APPROVING THE USE AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AN OFFICIAL STATEMENT; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the Municipal Council (the “Council”) of Murray City, Utah (the “City”) has previously authorized and directed the creation of the Municipal Building Authority of Murray City, Utah (the “Authority”); and

WHEREAS, pursuant to the direction of the City, the Authority has been duly and regularly created, established and is organized and existing as a nonprofit corporation under and by virtue of the provisions of the Constitution and the laws of the State of Utah, including, in particular, the provisions of the Local Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended (the “Building Authority Act”); and

WHEREAS, pursuant to the provisions of the Building Authority Act and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (collectively, with the Building Authority Act, the “Act”), the Governing Board (the “Governing Board”) of the Authority, has authority to issue its lease revenue bonds for the purpose of financing certain improvements for and on behalf of the Authority; and

WHEREAS, the Authority desires to issue its Lease Revenue Bonds, Series 2020 (to be issued in one or more series and with such other or further designation(s) as the Authority may determine) (the “Series 2020 Bonds”), in an aggregate principal amount of not to exceed \$37,000,000 to (a) finance the acquisition and construction, furnishing and equipping of improvements to a new City Hall and related improvements (collectively, the “2020 Project”); (b) fund capitalized interest with respect to the Series 2020 Bonds; (c) fund any required deposits to a debt service reserve fund; and (d) pay costs associated with the issuance of the Series 2020 Bonds; and

WHEREAS, the Act provides for the publication of a Notice of Public Hearing and Bonds to be Issued, and the Authority desires to publish such notice in compliance with the Act with respect to the Series 2020 Bonds to thereby initiate the running of a contest period; and

WHEREAS, pursuant to Sections 11-14-316, 11-14-318 and 17D-2-502 of the Act, the Notice of Public Hearing and Bonds to be Issued (a) shall constitute the notice of intent to issue bonds, (b) shall constitute notice of a public hearing to receive input from the public with respect to the Series 2020 Bonds, and (c) will provide for a 30-day period during which the active voters of the City may submit a written petition requesting an election to approve or disapprove the issuance of the Series 2020 Bonds; and

WHEREAS, it is anticipated that the City will be the owner of a fee simple interest to certain parcels on which the 2020 Project is located and the Authority desires to lease such properties from the City pursuant to the terms and provisions of a Ground Lease Agreement (a “Ground Lease”) in substantially the form presented to this meeting and attached hereto as Exhibit E and herein authorized and approved; and

WHEREAS, the Murray City, Utah Redevelopment Agency (the “RDA”) is currently the owner of a fee simple interest to the site on which the 2020 Project may be located and it is anticipated that as of the closing date of the Series 2020 Project such fee simple interest in the site shall be transferred to the City or the Authority or an interest shall be leased by the RDA to the City or the Authority; and

WHEREAS, the Authority desires to lease the 2020 Project, as lessor, on an annually renewable basis, to the City, as lessee, pursuant to the terms and provisions of a Master Lease Agreement, (the “Lease”) by and between the Authority and the City in substantially the form presented to this meeting and attached hereto as Exhibit C; and

WHEREAS, the Authority proposes to (i) finance the costs associated with the 2020 Project, (ii) fund capitalized interest account with respect to the Series 2020 Bonds, (iii) fund the deposit of any required reserve, and (iv) pay the costs of issuance of the Series 2020 Bonds by means of the issuance of the Series 2020 Bonds issued pursuant to a General Indenture of Trust and a First Supplemental Indenture of Trust (together, “Indenture”) between a trustee and the Authority, in substantially the form presented to this meeting and attached hereto as Exhibit B; and

WHEREAS, to further secure its payment obligations under the Indenture, the Authority proposes to grant a lien on and security interest in the 2020 Project pursuant to the following: (i) a Leasehold Deed of Trust, Assignment of Rents and Security Agreement, and (ii) an Assignment of Ground Lease in substantially the forms presented to this meeting and attached hereto as Exhibit D (collectively the “Security Documents”); and

WHEREAS, there has been presented to the Governing Board at this meeting a form of a Bond Purchase Contract (the “Bond Purchase Contract”) to be entered into between the Authority, the City, and the Underwriter selected by the Authority for the Series 2020 Bonds (the “Underwriter”), in substantially the form attached hereto as Exhibit E; and

WHEREAS, the Authority desires to authorize the use and distribution of a Preliminary Official Statement (the “Preliminary Official Statement”), and to approve a final Official Statement (the “Official Statement”) in substantially the form attached hereto as Exhibit G, and other documents relating thereto; and

WHEREAS, the Authority desires to improve and promote the local health and general welfare of the citizens of the City by entering into the documents and taking the actions described above; and

WHEREAS, the Council has or is expected to authorize, approve and direct the execution of the Ground Lease, the Lease, the Indenture, the Bond Purchase Contract and the Security Documents and to authorize the issuance of the Series 2020 Bonds and the financing of the 2020 Project by the Authority and to authorize and approve the distribution and use of the Preliminary Official Statement and the Official Statement and to further authorize the execution of the Ground Lease, the Lease, the Indenture, the Bond Purchase Contract, and the Security Documents and certain other acts to be taken by the Authority in connection therewith; and

WHEREAS, in order to allow the Authority (in consultation with the Authority’s municipal advisor (the “Municipal Advisor”), flexibility in setting the pricing date of the Series 2020 Bonds to optimize debt service costs to the Authority, the Governing Board desires to grant to any one of the following: Chair/President, the Mayor or, the City Finance Director (the “Designated Officers”), the authority to approve the final interest rates, principal amounts, terms, maturities, redemption features, and purchase price at which the Series 2020 Bonds shall be sold, to select the Underwriter thereof, and any changes with respect thereto from those terms which were before the Governing Board at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the “Parameters”);

NOW, THEREFORE, it is hereby resolved by the Governing Board of the Municipal Building Authority of Murray City, Utah, as follows:

Section 1. Terms defined in the foregoing recitals hereto shall have the same meaning when used in this Resolution.

Section 2. The Governing Board hereby finds and determines that it is in the best interests of the Authority and the residents of the City for the Authority to issue not more than Thirty-Seven Million Dollars (\$37,000,000) aggregate principal amount of the Authority's Lease Revenue Bonds, Series 2020, to bear interest at a rate or rates of not to exceed five and one-half percent (5.50%) per annum, to mature in not more than thirty-one (31) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, plus accrued interest, if any, to the date of delivery of the Series 2020 Bonds, for the purpose of (i) financing the 2020 Project, (ii) funding capitalized interest, (iii) funding any required deposits to a debt service reserve fund, and (iv) paying costs of issuance, all pursuant to this resolution (this "Resolution"), the Indenture and the Lease, all substantially in the forms attached hereto, as shall be approved by the Designated Officers, all within the Parameters set forth herein. The issuance of the Series 2020 Bonds shall be subject to the final approval of Bond Counsel and to the approval of the Attorney for the Authority.

Section 3. The final interest rate or rates for the Series 2020 Bonds shall be set by the Designated Officers, in consultation with the Municipal Advisor, at the rate or rates which, taking into account the purchase price offered by the Underwriter of the Series 2020 Bonds, will in the opinion of the Designated Officers and the Municipal Advisor result in the lowest cost of funding reasonably achievable given the manner of offering the Series 2020 Bonds at the time of the sale of the Series 2020 Bonds, as evidenced by the execution and delivery of the Bond Purchase Contract.

Section 4. The form of the Indenture attached hereto as Exhibit B is in all respects hereby authorized and approved, and the Chair/President or Vice Chair and Secretary-Treasurer is hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 5. The Bond Purchase Contract in the form presented to this meeting and attached hereto as Exhibit F is in all respects authorized, approved, and confirmed. The Chair/President or Vice Chair and the Secretary-Treasurer are hereby authorized to execute and deliver said Bond Purchase Contract. The Designated Officers are each hereby authorized to select the Underwriter and to specify and agree as to the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2020 Bonds for and on behalf of the Authority, provided that such terms are within the Parameters set by this Resolution. The execution of the Bond Purchase Contract will signify the approval of the Designated Officers.

Section 6. The Lease, the Ground Lease, and the Security Documents, in substantially the respective forms presented to this meeting and attached hereto as exhibits, are in all respects approved, authorized and confirmed, and the Chair/President or Vice Chair and the Secretary-Treasurer are hereby authorized and directed to execute and deliver the same on behalf of the Authority.

Section 7. The Designated Officers of the Authority are authorized to make any alterations, changes or additions to the Indenture, the Bond Purchase Contract, the Preliminary Official Statement, the Official Statement, the Lease, the Security Documents,

the Ground Lease, the Series 2020 Bonds, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2020 Bonds (within the Parameters set by this Resolution), to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution, or any resolution adopted by the City or the Authority, the agreements with the Underwriter or the provisions of the laws of the State of Utah or the United States.

Section 8. The Authority hereby authorizes the utilization of the Preliminary Official Statement, in the form attached hereto as Exhibit G in the marketing of the Series 2020 Bonds and hereby approves the Official Statement in substantially the same form as the Preliminary Official Statement.

Section 9. The form, terms, and provisions of the Series 2020 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Chair/President or Vice Chair and Secretary-Treasurer are hereby authorized and directed to execute and seal the Series 2020 Bonds and to deliver said Series 2020 Bonds to the Underwriter(s). The signatures of the Chair/President or Vice Chair and the Secretary-Treasurer may be by facsimile or manual execution.

Section 10. Upon their issuance, the Series 2020 Bonds will constitute special limited obligations of the Authority payable solely from and to the extent of the sources set forth in the Series 2020 Bonds, the Indenture and the Security Documents. No provision of this Resolution, the Indenture, the Bond Purchase Contract, the Lease, the Security Documents, the Ground Lease, the Series 2020 Bonds, or any other instrument, shall be construed as creating a general obligation of the Authority or the City or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Authority or the City or its taxing powers.

Section 11. In the event that a fee simple interest in the parcels on which the 2020 Project is located is not transferred by the RDA to the City as of the closing date, the City and the Authority each are hereby authorized to obtain fee simple interest and/or obtain such leasehold interests as may be necessary or desirable for the completion of the Series 2020 Project.

Section 12. The Designated Officers and appropriate officials of the Authority, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Authority any or all additional certificates, documents and other papers and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 13. After the Series 2020 Bonds are delivered to the Underwriter, and upon receipt of payment therefor, this Resolution shall be and remain irrepealable until the principal of the Series 2020 Bonds is deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 14. The Authority shall hold a public hearing on November 12, 2019 at 6:30 p.m. to receive input with respect to (a) the Series 2020 Bonds, and (b) the potential economic impact that the 2020 Project will have on the private sector. In accordance with the Act, the Secretary-Treasurer shall cause the following “Notice of Public Hearing and Bonds to be Issued” to be published (A) once a week for two (2) consecutive weeks in The Salt Lake Tribune and The Deseret News, newspapers of general circulation in the City, (B) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (C) on the Utah Legal Notices website ([www.utahlegals.com](http://www.utahlegals.com)) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with the first such publications to be no less than fourteen (14) days before the public hearing date, and shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the office of the Secretary-Treasurer of the Authority for public examination during the regular business hours of the Authority for a period of at least thirty (30) days from and after the last date of publication thereof. The Issuer hereby directs its officer and staff to publish a “Notice of Public Hearing and Bonds to be Issued” in substantially the following form:

## NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

PUBLIC NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Municipal Building Authority Act, Title 17D, Chapter 2, Utah Code Annotated 1953, as amended, and the Local Government Bonding Act, Title 11, Chapter 14, Utah Code, as amended (together, the “Act”), that on October 15, 2019, the Governing Board (the “Governing Board”) of the Municipal Building Authority of Murray City, Utah (the “Authority”) adopted a resolution (the “Resolution”) declaring its intention to issue its Lease Revenue Bonds, Series 2020 (the “Bonds”), and calling a public hearing to receive input from the public with respect to the issuance of the Bonds.

### TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Authority shall hold a public hearing on Tuesday, November 12, 2019, at the hour of 6:30 p.m. The location of the public hearing is at the City offices of Murray City, Utah (the “City”) located at 5025 South State Street, Murray City, Utah. The purpose of the hearing is to receive input from the public with respect to: (a) the proposed Bonds, and (b) any potential economic impact that the improvements, facility or property financed in whole or in part with the proceeds of the Bonds may have on the private sector. All members of the public are invited to attend and participate.

### PURPOSE FOR ISSUING BONDS

The Authority intends to issue the Bonds to provide funds to (a) finance the acquisition and construction, furnishing and equipping of improvements to a new City Hall and related improvements (collectively, the “2020 Project”); (b) fund capitalized interest with respect to the Bonds; (c) fund any required deposits to a debt service reserve fund; and (d) pay costs associated with the issuance of the Bonds.

### PARAMETERS OF THE BONDS

The Authority intends to issue the Bonds in a principal amount of not to exceed Thirty-Seven Million Dollars (\$37,000,000), to bear interest at a rate or rates of not to exceed five and one-half percent (5.50%) per annum, to mature in not more than thirty-one (31) years from their date or dates, and to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, plus accrued interest, if any, to the date of delivery of the Bonds.

The Bonds are to be issued and sold by the Authority pursuant to the Resolution, including as attachments to said Resolution a form of the General Indenture of Trust and First Supplemental Indenture of Trust (collectively, the “Indenture”) and a form of a Master Lease Agreement (the “Lease”), which were before the Governing Board at the time of the adoption of the Resolution. The Indenture and the Lease are to be executed by the Authority and/or the City with such terms and provisions and any changes thereto as authorized by the Resolution.

### SECURITY FOR THE BONDS

The Bonds are payable solely from the rents, revenues and other income received by the Authority from the leasing of the 2020 Project to the City on an annually renewable basis (the “Lease Revenues”).

### OUTSTANDING BONDS SECURED BY LEASE REVENUES

The Authority currently has no bonds outstanding secured by Lease Revenues.

#### OTHER OUTSTANDING BONDS OF THE AUTHORITY

Information regarding all of the Authority's outstanding bonds may be found in the City's audited financial report (the "Financial Report") at <http://auditor.utah.gov/accountability/financial-reports-of-local-governments>. For additional information, including any more recent than as of the date of the Financial Report please contact Brenda Moore, Finance Director of the City, at (801) 264-2669.

#### TOTAL ESTIMATED COST

Based on an estimate of the current interest rate and financing plan, the estimated total debt service cost of the Bonds, if held until maturity, is \$72,207,093.

A copy of the Resolution and the forms of Indenture and the Lease are on file in the City offices, located at 5025 South State Street, in Murray City, Utah, where they may be examined during regular business hours from 8:00 a.m. to 5:00 p.m., Monday through Friday for a period of at least thirty (30) days from and after the last date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution, the Indenture, the Lease, or the Bonds, or any provision made for the security and payment of the Bonds, and after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever, and (ii) active voters (as defined in Section 20A-1-102 of the Utah Code) within the City may sign a written petition requesting an election to authorize the issuance of the Bonds. If written petitions which have been signed by at least twenty percent (20%) of the active voters of the City are filed with the Authority during said 30-day period, the Authority shall be required to hold an election to obtain voter authorization prior to the issuance of the Bonds. If fewer than twenty percent (20%) of the active voters of the City file a written petition during said 30-day period, the Authority may proceed to issue the Bonds without an election.

DATED this October 15, 2019.

---

/s/  
Secretary-Treasurer

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: \_\_\_\_\_  
Chair/President

ATTEST:

By: \_\_\_\_\_  
Secretary-Treasurer

STATE OF UTAH )  
: ss.  
COUNTY OF SALT LAKE )

I, \_\_\_\_\_, the undersigned, duly qualified, and acting Secretary-Treasurer of the Governing Board (the “Governing Board”) of the Municipal Building Authority of Murray City, Utah (the “Authority”), do hereby certify:

The foregoing pages are a true, perfect and complete copy of the record of proceedings of the Governing Board, had and taken at a lawful special meeting of said Governing Board held at its regular meeting place in Murray City, Utah, on October 15, 2019, commencing at the hour of 6:30 p.m., as recorded in the regular official book of the proceedings of the Authority kept in my office, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present as said meeting as therein shown.

All members of the Governing Board were duly notified of said meeting, pursuant to law.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on October 15, 2019, and that pursuant to the Resolution, a “Notice of Public Hearing and Bonds to be Issued” will be (a) published once a week for two (2) consecutive weeks in The Salt Lake Tribune and The Deseret News, newspapers of general circulation in the City, (b) posted on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (c) posted on the Utah Legal Notices website ([www.utahlegals.com](http://www.utahlegals.com)) created under Section 45-1-101, Utah Code Annotated 1953, as amended, with the affidavit of such publication attached hereto upon availability.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Authority this October 15, 2019.

(SEAL)

By: \_\_\_\_\_  
Secretary-Treasurer

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I \_\_\_\_\_, the undersigned Secretary-Treasurer of the Governing Board of the Municipal Building Authority of Murray City, Utah (the "Authority"), do hereby certify, according to the records of the Authority 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 October 15, 2019, public meeting held by the Authority as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the Authority on \_\_\_\_\_, 2019, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Salt Lake Tribune and The Deseret News, on \_\_\_\_\_, 2019, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

The Authority meets on an "as needed" basis.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this October 15, 2019.

(SEAL)

By: \_\_\_\_\_  
Secretary-Treasurer

SCHEDULE 1 and SCHEDULE 2

NOTICE OF MEETING

And

NOTICE OF ANNUAL MEETING

(attach Proof of Publication of  
Notice of Bonds to be Issued)

EXHIBIT B

GENERAL INDENTURE AND  
FIRST SUPPLEMENTAL INDENTURE

(See Transcript Document Nos. \_\_ and \_\_)

EXHIBIT C

MASTER LEASE AGREEMENT

(See Transcript Document No. \_\_\_\_)

EXHIBIT D

SECURITY DOCUMENTS

(See Transcript Document Nos. \_\_ and \_\_)

EXHIBIT E

GROUND LEASE

(See Transcript Document No. \_\_)

EXHIBIT F

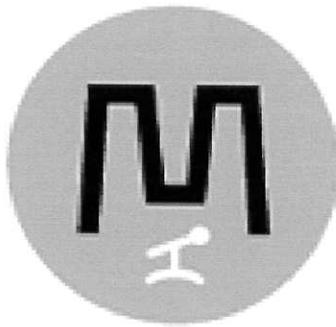
BOND PURCHASE CONTRACT

(See Transcript Document No. \_\_)

EXHIBIT G

PRELIMINARY OFFICIAL STATEMENT

(See Transcript Document No. \_\_)



**MURRAY**  
CITY COUNCIL

# Adjournment