ACTION ITEM: Reimbursement Resolution

BACKGROUND INFORMATION:

In September 2011, the Board of Trustees approved the issuance of debt for capital projects authorized by Session Law 2011-145 of the General Assembly, following earlier approval of the capital projects by the Board of Trustees and the Board of Governors. One of the capital projects included in this approval was the New Student Recreation Center. This project was to acquire the land, provide the necessary site infrastructure, and construct a new student recreation center in UNCG’s new mixed-use village.

The site work and construction of the New Student Recreation Center will be financed with tax-exempt debt obligations beginning in the spring of 2014. Design is underway and other costs are being incurred prior to the debt issuance. It is requested that the Board of Trustees authorize UNCG to be reimbursed from the debt proceeds for these advance expenditures incurred for the project.

REQUIREMENT:

In accordance with Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, a declaration of official intent of the Board to cause UNCG to be reimbursed for the Original Expenditures from proceeds of the debt obligations is required.

RECOMMENDED ACTION:

That the Board of Trustees of The University of North Carolina at Greensboro approve the following resolution:

[Signature]

Reade Taylor
Vice Chancellor for Business Affairs

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RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO DECLARING ITS INTENT TO CAUSE THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO TO BE REIMBURSED FOR CAPITAL EXPENDITURES INCURRED IN CONNECTION WITH THE CONSTRUCTION OF THE NEW STUDENT RECREATION CENTER FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS.

WHEREAS, the Board of Trustees (the "Board") of The University of North Carolina at Greensboro ("UNCG") has determined that it is in the best interests of UNCG to construct a New Student Recreation Center in UNCG’s new mixed-use village (the "Project");

WHEREAS, the Board presently intends, at one time or from time to time, to finance a portion of the costs of the Project with proceeds of tax-exempt obligations and reasonably expects to execute and deliver tax-exempt obligations (the "Obligations") to finance, or to cause UNCG to be reimbursed for, a portion of the costs of the Project; and

WHEREAS, the Board desires to proceed with the Project and UNCG will incur and pay certain expenditures in connection with the Project prior to the date of execution and delivery of the Obligations (the "Original Expenditures"), such Original Expenditures to be paid for originally from a source other than the proceeds of the Obligations, and the Board intends, and reasonably expects, to cause UNCG to be reimbursed for such Original Expenditures from a portion of the proceeds of the Obligations to be executed and delivered at a date occurring after the dates of such Original Expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. Official Declaration of Intent. The Board presently intends, and reasonably expects, to cause UNCG to be reimbursed for the Original Expenditures incurred and paid by UNCG on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Obligations.

Section 2. Compliance with Regulations. This Resolution as a declaration of official intent of the Board under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the Board’s intent to cause UNCG to be reimbursed for the Original Expenditures from proceeds of the Obligations.

Section 3. Itemization of Capital Expenditures. The Vice Chancellor for Business Affairs of UNCG or his designee, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the Board in determining and itemizing all of the Original Expenditures incurred and paid by UNCG in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of the execution and delivery of the Obligations.
Section 4. **Effective Date.** This Resolution is effective immediately on the date of its adoption.

*ADOPTED AND APPROVED* this 6th day of December, 2013.

**THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO**

By: ________________________________

Secretary
STATE OF NORTH CAROLINA  

COUNTY OF GUILFORD  

I, ________________________, the duly elected Secretary of the Board of Trustees of The University of North Carolina at Greensboro, **DO HEREBY CERTIFY** that (1) the foregoing is a full, true and correct copy of the Resolution adopted by the Board of Trustees of The University of North Carolina at Greensboro at its meeting of December 6, 2013 and appearing in the minutes of such meeting, (2) notice of the meeting of the Board of Trustees of The University of North Carolina at Greensboro held on December 6, 2013 was sent to each member of the Board, and (3) a quorum was present at the meeting on December 6, 2013 at which time the foregoing Resolution was adopted.

**WITNESS**, my hand and the seal of The University of North Carolina at Greensboro this _____ day of December, 2013.

[SEAL]

________________________________________

Secretary