

RESOLUTION NO. _____

**A RESOLUTION OF THE WHATCOM COUNTY COUNCIL
APPOINTING THE COUNTY TREASURER AND FINANCE
DIRECTOR AS THE COUNTY REPRESENTATIVES AUTHORIZED
TO DESIGNATE CERTAIN EXPENDITURES FOR
REIMBURSEMENT FROM FUTURE TAX-EXEMPT
OBLIGATIONS, INCLUDING BONDS, THAT MAY BE
AUTHORIZED AND APPROVED BY THE COUNTY COUNCIL IN
THE FUTURE FOR ISSUANCE.**

WHEREAS, Whatcom County, Washington (the “County”) issues tax-exempt obligations, including bonds, notes, and leases from time to time for the purpose of financing its governmental activities; and

WHEREAS, the United States Department of the Treasury has promulgated Regulations limiting the ability of the County to use the proceeds of tax-exempt obligations for reimbursement of prior expenditures; and

WHEREAS, Section 1.150-2 of the Regulations, however, permits the County to appoint one or more officials for the purpose of identifying and qualifying capital projects for reimbursement purposes; and

WHEREAS, any such declaration of official intent to reimburse must not be made as a matter of course or in an amount substantially in excess of the amount expected to be necessary for the proposed project; and

WHEREAS, issuance of an official declaration of intent to reimburse does not commit the County to issuing any tax-exempt obligations, which remain subject to authorization only through subsequent action of the County Council prior to issuance.

NOW THEREFORE, BE IT RESOLVED BY THE WHATCOM COUNTY COUNCIL AS FOLLOWS:

Section 1. Designated Officials. The County Council hereby appoints and designates the County Treasurer and the County Finance Director (each, an “Authorized Representative”) as the officials responsible for issuing statements of official intent in compliance with Treasury Regulation Section 1.150-

Section 2. Authorization to Execute. Upon a determination by an Authorized Representative that the costs of a particular capital project may be reimbursed from the proceeds of tax-exempt obligations of the County, each Authorized Representative is hereby authorized and directed to execute a certificate of official intent, substantially in the form attached hereto as Exhibit A.

Each certificate so executed shall become a part of the official records of the County available for public inspection and review. The signature of one Authorized Representative shall be sufficient for the purposes of making such declarations of intent on behalf of the County.

Section 3. Severability. If any one or more section, subsection, or sentence of this resolution is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this resolution and the same shall remain in full force and effect.

Section 4. Corrections by Clerk of the County Council. After consultation with bond counsel to the County, the Clerk of the Council is authorized to make necessary corrections to this resolution, including the correction of clerical errors; resolution, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 5. Effective Date. This resolution shall take effect and be in force immediately upon its passage.

APPROVED this ____ day of _____, 2026.

ATTEST

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Kaylee Galloway, Council Chair

APPROVED AS TO FORM:

Approved by Email B.Waldron
Civil Deputy Prosecutor

EXHIBIT A

FORM OF OFFICIAL INTENT CERTIFICATE

Pursuant to Resolution No. _____ of the County Council of Whatcom County, Washington (the “County”), adopted on _____, 2026 (the “Reimbursement Resolution”), the undersigned Authorized Representative of the County hereby states as follows:

Section 1. I hereby certify that I am an Authorized Representative of the County as defined in the Reimbursement Resolution, and as such I am authorized to execute and deliver this certificate on behalf of the County.

Section 2. The County reasonably expects to reimburse the expenditures described herein with the proceeds of debt to be incurred by the County (the “Reimbursement Bonds”).

Section 3. The maximum principal amount of Reimbursement Bonds expected to be issued is \$ _____ [*STATE THE MAXIMUM AMOUNT OF THE TAX-EXEMPT BONDS EXPECTED TO BE ISSUED AND/OR USED TO REIMBURSE THE COUNTY*].

Section 4. The expenditures with respect to which the County reasonably expects to be reimbursed from the proceeds of Reimbursement Bonds will be made from the County’s _____ Fund/Account [*STATE WHICH FUND WILL BE USED TO INITIALLY PAY FOR THE EXPENDITURES*] for project costs related to the _____ [*DESCRIBE PROJECTS*].

This declaration of intent to reimburse is made this ____ day of _____, 20 ____.

[NAME] _____

[TITLE] _____, as
Authorized Representative