



# MEMORANDUM

TAB A

August 21, 2020

## Dixie State University – Series 2020 Revenue Bonds

[Regent Policy R590, Issuance of Revenue Bonds for Colleges and Universities](#), requires the Board to review and approve the issuance and sale of revenue bonds that have been affirmatively authorized by the Utah State Legislature. Dixie State University requests Board authorization to issue up to \$11,000,000 of General Revenue Bonds to expand the Greater Zion Stadium as authorized by the 2020 Legislative Session ([H.B. 9, Revenue Bond and Capital Facilities Amendments](#)). Tourism marketing revenues from Washington County, donations, and institutional funds will be the primary source of repayment for the bonds.

In the [Debt Ratio Analysis](#), presented to the Finance and Facilities Committee in April 2020, the viability ratio and composite index measures for DSU were lower than the recommended standards. DSU addresses the reasons for the lower measures in the attached request letter, including institutional growth and increased debt for capital facilities.

The relevant parameters of the requested issue are:

- Principal amount not to exceed \$11,000,000 (including costs of issuance and capitalized interest)
- Interest rate not to exceed 5.5%
- Discount from par not to exceed 2%
- Final maturity not to exceed 32 years from the date of issue

A copy of the request letter from the university, the Approving Resolution, and a financing summary from the financial advisor are attached. Representatives from the university will attend the meeting to provide additional information and answer questions from the Board.

### Commissioner's Recommendations

The Commissioner recommends approval of the proposed Authorizing Resolution to issue General Revenue bonds for Dixie State University as proposed.

### Attachments

Paul C. Morris  
Vice President for Administrative Services

Phone: 435-652-7504  
Email: [morris@dixie.edu](mailto:morris@dixie.edu)

July 28, 2020

Dr. David R. Woolstenhulme  
Commissioner of Higher Education  
60 South 400 West  
Salt Lake City, Utah 84101

Dear Dr. Woolstenhulme:

#### Purpose

Dixie State University (DSU) is requesting Utah Board of Higher Education authorization to issue revenue bonds for the purpose of constructing Phase III of the Greater Zion Stadium Expansion.

#### Background

During the 2020 General Session of the Utah State Legislature, Dixie State University received authorization to bond for up to \$10,000,000 in project costs for the Greater Zion Stadium Expansion.

The repayment revenue source is primarily based on a January 21, 2020, agreement between the Washington County Commission and Dixie State University for a marketing agreement to promote tourism in Washington County. The marketing agreement includes naming rights to the stadium, formerly known as Trailblazer Stadium. DSU's stadium is now known as "Greater Zion Stadium." As part of the agreement, Washington County agreed to pay Dixie State University \$10,000,000 (\$500,000 annually for 20 years).

The University intends to bond for \$10,000,000 over 30 years. DSU intends to use the proceeds of the marketing agreement and Auxiliary Services' net revenues as funding sources to repay the bond.

To complete the Greater Zion Stadium expansion project by Fall 2021, and to take advantage of historic low interest rates, Dixie State University is moving as quickly as possible into position to offer revenue bonds. To accomplish this, Dixie State University acquired the services of Chapman and Cutler as bond counsel and Zions Bank as financial advisor.

To facilitate the current bond offering, Dixie State University put a bonding revenue umbrella in place that includes revenue streams in excess of those needed to cover existing bonds and sufficient coverage to support future bonds. The strategy of including pledged revenues in excess of those needed for immediate bonding requirements is to facilitate future bond offerings and to provide an excess revenue cushion for debt coverage ratios and debt service. A description of DSU's financial position related to long-term debt is included in Addendum #1.

### Description of the Project

Dixie State University envisions the West Stadium Building as a prominent campus icon. The structure itself will rise above the existing stadium seating on the west side to improve Greater Zion Stadium's visibility, making it a beacon for the campus. The West Stadium project will be constructed to meet the University's space needs and budget requirements. The following is a brief description of the physical form of the building, as envisioned by Dixie State University.

Phase III of the Greater Zion Stadium Expansion will include a new top structure, a remodel of the existing under-stadium structure, and the following programming elements:

- New space for press box operations
- Premier seating area with private suites and a club area
- Fan experience upgrades, such as a new ticketing office, welcome center, additional restrooms rooms, and a merchandise sales area
- Renovation and expansion of the existing under-stadium building to improve athletic training space, provide updated football locker rooms, and equipment facilities.

In support of this request for authorization to issue revenue bonds, a copy of the financing summary provided by Zions Bank and approving resolution as prepared by Chapman and Cutler accompany this letter. Thank you for your consideration to approve the resolution to bond on behalf of Dixie State University.

Sincerely,



Paul C. Morris  
Vice President for Administrative Affairs



## Addendum #1

### DSU Bonded Indebtedness

Dixie State University is rapidly growing and evolving as Utah's newest university. This transformation, coupled with aged, inadequate, or non-existent infrastructure, has placed the institution in the position of needing to build new facilities that will accommodate a rapidly growing student-body. Many of the needed new facilities are self-support operations (new buildings must be financed by bonds and repaid by user fees) as the State of Utah does not pay for these facilities.

DSU's need to bond to build new facilities at today's high construction cost results in a Viability Ratio below industry standards. However, as DSU continues to evolve into a stronger economy of scale, the institution will improve its Viability Ratio over time, as the institution continues to increase in enrollments, resulting in increased revenues (Expendable Net Assets) relative to debt levels. On a more positive note, DSU exceeds the industry standards on the Debt Burden Ratio. The Debt Burden Ratio does a better job of matching annual expenditure levels with annual debt service payments that give a more accurate benchmark of the institution's ability to service its annual debt. Finally, the Composite Index at DSU has improved over the past couple of years. However, this ratio will continue to be difficult for DSU as the Viability Ratio is a significant component of the Composite Index.

The majority of the bonding debt at Dixie State University is for new student housing, followed by the Human Performance Center, improvements to the Greater Zion Stadium, and a small outstanding bond for the Avenna Center. A schedule of current outstanding bonds is below.

	Date Issued	Maturity Date	Original Issue	Balance 6/30/20
Avenna Center Lease	6/20/06	5/1/23	\$ 4,845,000	\$ 995,000
Campus View I	6/24/2015	6/1/2046	21,315,000	19,600,000
HPC/East Grandstand	7/18/2017	6/1/2049	20,770,000	20,395,000
Campus View II	12/18/2019	6/1/2051	42,040,000	42,040,000
			\$88,970,000	\$83,030,000

As previously described, Dixie State University put a bonding umbrella in place for the Campus View Suites student housing bond that pledged nearly all of the institution's non-appropriated general (gross) revenues for repayment of bonds. This bonding umbrella gives the institution a debt coverage ratio far beyond the typical 1.1X. In fact, the debt coverage ratio for FY20 is 5.73X under the bonding umbrella. The advantage of the general revenue bond is to guard against technical default as the revenues committed to pay bond payments is not limited to the specific user fee. Although the bonding umbrella is a good safety net to support the bonds, DSU has been able to fund the bond payments from the specific user fees. Debt coverage ratio, for both gross and net revenues, is presented in tables on the accompanying pages: See "Historical and Projected General Revenues Available for Debt Service Coverage" and "Historical and Projected Net Revenues Available for Debt Service Coverage."

In summary, DSU is well positioned to make its annual debt service payments. As the institution continues to grow, DSU will become stronger in its financial ratios related to long-term debt.

## Historical And Projected General Revenues Available For Debt Service Coverage

**Fiscal Year Ended June 30**[illegible]

**Historical And Projected Net Revenues Available For Debt Service Coverage****Fiscal Year Ended June 30**

	<b>Historical</b>					<b>Projected</b>				
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Net Revenues:										
Auxiliary Systems:										
Bookstores.....	\$ 80,639	\$ 74,398	\$ (78,757)	\$ 84,751	\$ 248,600	\$ 100,000	\$ 125,000	\$ 150,000	\$ 175,000	\$ 200,000
Food services.....	8,594	39,781	(15,937)	22,371	(71,299)	(10,000)	10,000	30,000	50,000	50,000
Gardner Student Center.....	(23,838)	3,177	(93,837)	9,088	(35,531)	(115,000)	0	0	0	0
Road Scholar.....	35,434	100,982	213,913	318,215	368,773	(20,000)	0	50,000	100,000	150,000
Student Housing Facilities.....	84,130	198,989	1,050,915	1,219,850	1,283,389	1,240,000	1,280,000	3,320,000	3,425,000	3,530,000
Student Building Fees.....	485,271	850,363	1,583,277	1,685,701	1,650,769	1,365,000	1,430,000	1,485,000	1,545,000	1,605,000
Investment Income/Amount of Unrestricted Gifts..	0	0	0	0	0	0	0	0	0	0
Parking services.....	158,981	(168,970)	49,353	(22,830)	39,018	(30,000)	350,000	500,000	650,000	800,000
Greater Zion sponsorship.....	0	0	0	0	0	500,000	500,000	500,000	500,000	500,000
Total Net Revenues available for debt service.....	<u>\$ 829,211</u>	<u>\$ 1,098,720</u>	<u>\$ 2,708,926</u>	<u>\$ 3,317,146</u>	<u>\$ 3,483,718</u>	<u>\$ 3,030,000</u>	<u>\$ 3,695,000</u>	<u>\$ 6,035,000</u>	<u>\$ 6,445,000</u>	<u>\$ 6,835,000</u>
Debt service:										
2020 General Revenue Bonds (estimated).....	\$ —	\$ —	\$ —	\$ —	\$ —	\$ 0	\$ 375,000	\$ 500,000	\$ 500,000	\$ 500,000
2019 General Revenue Bonds.....	—	—	—	—	—	651,138	1,438,100	2,178,100	2,201,100	2,186,100
Capitalized interest (from 2019 Bonds).....	—	—	—	—	—	(651,140)	(1,438,100)	(359,525)	—	—
2017B General Revenue Bonds.....	—	—	—	734,931	845,288	845,288	845,288	945,288	1,248,288	1,247,088
Capitalized interest (from 2017B Bonds).....	—	—	—	(734,931)	(845,288)	—	—	—	—	—
2017A General Revenue Bonds.....	—	—	—	20,465	23,538	398,538	401,038	302,375	—	—
Capitalized interest (from 2017A Bonds).....	—	—	—	(20,465)	(23,538)	—	—	—	—	—
2015 General Revenue Bonds.....	—	752,446	1,218,800	1,220,500	1,222,000	1,218,300	1,220,100	1,221,900	1,222,900	1,218,050
Capitalized interest (from 2015 Bonds).....	—	(752,446)	(401,900)	—	—	—	—	—	—	—
Total debt service payments.....	<u>\$ —</u>	<u>\$ 0</u>	<u>\$ 816,900</u>	<u>\$ 1,220,500</u>	<u>\$ 1,222,000</u>	<u>\$ 2,462,124</u>	<u>\$ 2,841,426</u>	<u>\$ 4,788,138</u>	<u>\$ 5,172,288</u>	<u>\$ 5,151,238</u>
Net Revenue coverage to Debt Service.....	<u>—</u>	<u>—</u>	<u>3.32X</u>	<u>2.72X</u>	<u>2.85X</u>	<u>1.23X</u>	<u>1.30X</u>	<u>1.26X</u>	<u>1.25X</u>	<u>1.33X</u>

August 21, 2020

The Utah Board of High Education (formerly known as the State Board of Regents of the State of Utah) (the “*Board*”) met in regular session via electronic conference on August 21, 2020, commencing at 8:00 a.m. The following members of the Board were present:

Harris H. Simmons	Chair
Nina Barnes	Vice Chair
Jessellie Barlow Anderson	Member
Mike Angus	Member
Jera L. Bailey	Member
Stacey K. Bettridge	Member
Lisa-Michele Church	Member
Wilford Clyde	Member
Candyce Damron	Student Representative
Sanchaita Datta	Member
Alan E. Hall	Member
Patricia Jones	Member
Crystal Maggelet	Member
Arthur E. Newell	Member
Shawn Newell	Member
Aaron V. Osmond	Member
Glen Rivera	Student Representative
Scott L. Theurer	Member.

ABSENT: \_\_\_\_\_.

As required by Section 52-4-203, Utah Code Annotated 1953, as amended, written minutes and a recording of this meeting are being kept.

After the meeting had been duly convened and called to order by the Chair and the roll had been called with the above result, and after other business had been conducted, the Chair announced that one of the purposes of the meeting was the consideration of various matters with respect to the issuance and sale of the Utah Board of Higher Education, Dixie State University General Revenue Bonds.

The following resolution was introduced in written form and, after full discussion, pursuant to motion made and seconded, was adopted by the following vote:

YEA:

ABSTAIN: \_\_\_\_\_.

NAY: \_\_\_\_\_.

ABSENT: \_\_\_\_\_.



The resolution is as follows:

## **RESOLUTION**

A RESOLUTION OF THE UTAH BOARD OF HIGHER EDUCATION  
AUTHORIZING THE ISSUANCE AND SALE OF ITS DIXIE STATE  
UNIVERSITY GENERAL REVENUE BONDS IN THE AGGREGATE  
PRINCIPAL AMOUNT OF NOT TO EXCEED \$11,000,000; AUTHORIZING  
THE EXECUTION OF A SUPPLEMENTAL INDENTURE OF TRUST, AN  
OFFICIAL STATEMENT AND OTHER DOCUMENTS REQUIRED IN  
CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER  
ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS  
CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the Utah Board of Higher Education (formerly known as the State Board of Regents of the State of Utah) (the “*Board*”) is established and exists under and pursuant to Section 53B-1-402, Utah Code Annotated 1953, as amended (the “*Utah Code*”);

WHEREAS, pursuant to the provisions of Title 53B Chapter 1, Utah Code, the Board is authorized to act as the governing authority of Dixie State University (the “*University*”) for the purpose of exercising the powers contained in Title 53B, Chapter 21, Utah Code (the “*Act*”);

WHEREAS, pursuant to the Act, the Board is, for and on behalf of the University, authorized to issue bonds payable from a special fund into which the revenues of the University may be deposited;

WHEREAS, pursuant to the provisions of Section 63B-30-201(4) of the Utah Code (the “*Authorization*”), the Board is authorized to issue revenue bonds on the credit, revenues and reserves of the University, other than appropriations by the Utah Legislature, to provide up to \$10,000,000 to finance the cost of constructing an expansion of the Greater Zion Stadium (the “*Project*”) together with other amounts necessary to pay costs of issuance, pay capitalized interest, and fund any debt service reserve requirements;

WHEREAS, the Project will include the acquisition, construction, improvement, equipping and furnishing of an expansion of the Greater Zion Stadium and related facilities;

WHEREAS, the Board considers it desirable and necessary for the benefit of the residents of the State of Utah to issue its “Utah Board of Higher Education, Dixie State University General Revenue Bonds” (the “*Bonds*”), for the purpose of financing, together with any available funds of the University to be used for such purpose, the cost of the Project, satisfying any debt service reserve requirements, providing capitalized interest on the Bonds and paying costs of issuance of the Bonds;

WHEREAS, the Bonds will be issued in an aggregate principal amount of not to exceed \$11,000,000 and will be issued pursuant to the General Indenture of Trust, as heretofore amended

and supplemented (the "*General Indenture*"), and as further amended and supplemented by a Supplemental Indenture of Trust (the "*Supplemental Indenture*" and, together with the General Indenture, the "*Indenture*"), each by and between the Board, acting for and on behalf of the University, and Zions Bancorporation, National Association, as successor trustee (the "*Trustee*");

WHEREAS, the Bonds shall be payable solely from the revenues and other moneys pledged therefor under the Indenture and shall not constitute nor give rise to a general obligation or liability of the State of Utah (the "*State*"), the Board or the University or constitute a charge against the general credit of the State, the Board or the University;

WHEREAS, there have been presented to the Board at this meeting a form of a Preliminary Official Statement relating to the Bonds (the "*Preliminary Official Statement*") and a form of the Supplemental Indenture;

WHEREAS, expenditures relating to the Projects (the "*Expenditures*") (a) have been paid from the University's general fund (the "*Fund*") within 60 days prior to the passage of this resolution (the "*Resolution*") or (b) will be paid from the Fund on or after the passage of this Resolution and prior to the issuance of the Bonds; and

WHEREAS, pursuant to Section 53B-21-102(3)(m) of the Act and subject to the Authorization being effective, the Board desires to grant to the Chair, the Vice Chair of the Board and the Chair of the Budget and Finance Subcommittee of the Board (each a "*Designated Board Officer*") the authority to approve the final principal amounts, discounts, maturities, interest rates, redemption provisions, purchase prices and other terms of the Bonds (including the amount, if any, of the debt service reserve requirement for the Bonds) and any changes with respect thereto from those terms which were before the Board at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth in this Resolution, and the authority to approve and execute all documents relating to the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE UTAH BOARD OF HIGHER EDUCATION, AS FOLLOWS:

*Section 1.* All terms defined in the foregoing recitals hereto shall have the same meanings when used herein. Capitalized terms used and not otherwise defined herein shall have the meanings assigned to such terms in the Indenture.

*Section 2.* All action heretofore taken (not inconsistent with the provisions of this Resolution) by the Board and the officers of the Board or the University directed toward the issuance of the Bonds are hereby ratified, approved and confirmed.

*Section 3.* The Supplemental Indenture, in substantially the form presented to the Board at this meeting, is in all respects authorized, approved and confirmed. Each Designated Board Officer and the Secretary of the Board and the University's President, the Vice President of Administrative Affairs or any Executive Director of the University (each a "*Designated University Officer*" and collectively with the Designated Board Officers, the "*Designated Officers*") are hereby authorized to execute and deliver the Supplemental Indenture, in the form and with

substantially the same content as presented at this meeting, for and on behalf of the Board and the University with such alterations, changes or additions as may be authorized pursuant to the terms of this Resolution.

*Section 4.* For the purpose of providing funds to be used for the purpose of (a) financing all or a portion of the cost of the Project, (b) satisfying the debt service reserve requirement, if any, (c) providing capitalized interest on the Bonds, and (d) paying costs of issuance of the Bonds, including the cost of any bond insurance policy, surety bond or other credit enhancement for the Bonds, the Board hereby authorizes the issuance of the Bonds in the aggregate principal amount of not to exceed \$11,000,000. The Bonds shall bear interest at the rates, shall mature in the principal amounts and on the dates, and shall be subject to redemption, as shall be approved by a Designated Board Officer as provided below, all within the parameters set forth in *Schedule A* attached hereto and incorporated herein by reference.

*Section 5.* The form, terms and provisions of the Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption and number shall be as set forth in the Indenture. Any Designated Board Officer and the Secretary of the Board and any Designated University Officer are hereby authorized to execute and seal the Bonds and to deliver the Bonds to the Trustee for authentication. All terms and provisions of the Indenture and the Bonds are hereby incorporated in this Resolution. The appropriate officials of the Board and the University are hereby authorized to execute and deliver to the Trustee the written order of the Board for authentication and delivery of the Bonds in accordance with the provisions of the Indenture.

*Section 6.* The Board hereby authorizes, approves and directs the use and distribution of the Preliminary Official Statement in such form as shall be approved by the Chair or Vice Chair of the Board or the President or Vice President for Administrative Affairs of the University. Each such Designated Officer is authorized to execute such certificates as shall be necessary to “deem final” the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission. Any such Designated Officer is hereby authorized to execute and deliver on behalf of the Board and the University a final Official Statement in substantially the form and with substantially the same content as the Preliminary Official Statement, with such alterations, changes or additions as may be necessary to conform to the terms of the Bonds and finalize the Official Statement. The use and distribution of the Official Statement are hereby authorized.

*Section 7.* The Bonds shall be sold to the initial purchaser (the “*Underwriter*”) pursuant to a public sale at a discount of not to exceed 2.0% of the face amount of the Bonds plus accrued interest, if any. Pursuant to Section 53B-21-102(3)(m) of the Act, a Designated Board Officer (with concurrence of a Designated University Officer) is hereby authorized to specify and agree as to the final principal amounts, discounts, maturities, interest rates, redemption provisions, purchase prices and other terms of the Bonds (including the amount, if any, of the debt service reserve requirement for the Bonds) for and on behalf of the Board and the University by the execution of the Indenture, such bond purchase contract or other instrument or instruments as may be necessary to confirm the award of the Bonds to the Underwriter, and any changes to the Supplemental Indenture from those terms which were before the Board at the time of adoption of this Resolution, provided such terms are within the parameters set by this Resolution.

*Section 8.* The appropriate officers of the Board and the University, including without limitation the Designated Board Officers, Commissioner of Higher Education (including any Interim Commissioner), the Chief Financial Officer and Secretary of the Board and the Designated University Officers are hereby authorized to take all action necessary or reasonably required by the Indenture to carry out, give effect to and consummate the transactions as contemplated thereby and are authorized to take all action necessary in conformity with the Act.

*Section 9.* The appropriate officials of the Board and the University, including without limitation the Designated Officers, are authorized to make any alterations, changes or additions to the Supplemental Indenture, the Bonds, the Preliminary Official Statement, or any other document herein authorized and approved as authorized by this Resolution, including such alterations, changes or additions which may be necessary to correct errors or omissions therein, 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 Board or the provisions of laws of the State or the United States.

*Section 10.* The appropriate officials of the Board and the University, including without limitation the Designated Board Officers, Commissioner of Higher Education (including any Interim Commissioner), the Chief Financial Officer and Secretary of the Board and the Designated University Officers, are hereby authorized and directed to (a) accept a commitment for, and agree to the terms of, a bond insurance policy, surety bond, or other credit enhancement that such officer or officers determine to be in the best interests of the Board and the University, and (b) execute and deliver for and on behalf of the Board and the University any or all additional certificates, documents, instruments and other papers and 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, including (without limitation) such (i) continuing disclosure undertakings or agreements as shall be necessary under Rule 15c2-12 of the Securities and Exchange Commission; (ii) certificates and agreements as shall be necessary to establish and maintain the tax status of the Bonds under the provisions of the Internal Revenue Code of 1986, as amended, and (iii) letter of representations with The Depository Trust Company (“DTC”) shall be necessary to qualify the Bonds for DTC; book-entry system.

*Section 11.* Upon their issuance, the Bonds will constitute special limited obligations of the Board payable solely from and to the extent of the sources set forth in the Indenture. No provision of this Resolution, the Bonds, the Indenture or any other instrument, shall be construed as creating a general obligation of the Board or the University, or of creating a general obligation of the State or any political subdivision thereof, nor as incurring or creating a charge upon the general credit of the Board, the University, the State or any political subdivision thereof.

*Section 12. Reimbursement Intent.* To the extent the requirements have not previously been satisfied, in satisfaction of certain requirements under the Internal Revenue Code of 1986, as amended, the Board reasonably expects to reimburse the Expenditures with proceeds of the Bonds to be issued in the maximum principal amount of not more than \$11,000,000.

*Section 13.* All proceedings, resolutions and actions of the Board and the University and their officers and employees taken in connection with the Bonds are hereby ratified, confirmed and approved.

*Section 14.* After any of the Bonds are delivered by the Trustee to the Underwriter and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Bonds are deemed to have been fully discharged in accordance with the terms and provisions of the Indenture.

*Section 15.* If any provisions of this Resolution should be held invalid, the invalidity of such provisions shall not affect the validity of any of the other provisions of this Resolution.

*Section 16.* All resolutions of the Board or parts thereof inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution or part thereof.

*Section 17.* This Resolution shall become effective immediately upon its adoption.

*(Signature page follows.)*



PASSED AND APPROVED by the Utah Board of Higher Education this 21st day of August,  
2020.

UTAH BOARD OF HIGHER EDUCATION

---

Chair

[SEAL]

ATTEST:

---

Secretary

After the conduct of other business not pertinent to the above, the meeting was, on motion duly made and seconded, adjourned.

---

Chair

[SEAL]

ATTEST:

---

Secretary

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

I, the undersigned, do hereby certify that I am the duly qualified and acting Secretary of the Utah Board of Higher Education.

I further certify that the above and foregoing constitutes a true and correct copy of an excerpt of the minutes of a meeting of said Board held on August 21, 2020 and of a resolution adopted at said meeting, as said minutes and resolution are officially of record in my possession.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of said Board this 21st day of August, 2020.

---

Secretary

[SEAL]

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

I, the undersigned, the duly qualified and acting Secretary of the Utah Board of Higher Education (the “*Board*”), do hereby certify, according to the records of the Board in my official possession, and upon my own knowledge and belief, that:

(a) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, I gave public notice of the agenda, date, time and place of the August 21, 2020 public meeting held by the members of the Board by causing a Notice of Public Meeting to be posted at the principal office of the Utah Board of Higher Education at 60 South 400 West in Salt Lake City, Utah, on August \_\_, 2020, at least 24 hours prior to the convening of such meeting, in the form attached hereto as *Exhibit A*, said Notice of Public Meeting having continuously remained so posted and available for public inspection during the regular office hours of the Board until the convening of the meeting; causing a copy of said Notice of Public Meeting in the form attached hereto as *Exhibit A* to be provided on August \_\_, 2020, at least 24 hours prior to the convening of such meeting; causing a Notice of Public Meeting to be posted on August \_\_, 2020, at the Utah Public Notice Website at least 24 hours before the convening of the meeting; and providing a copy of said Notice of Public Meeting in the form attached hereto as *Exhibit A* to at least one newspaper of general circulation within the geographic jurisdiction of the Board or a local media correspondent, by virtue of posting such Notice on the Utah Public Notice Website as aforesaid, in accordance with Sections 52-4-202(3) and 63F-1-701(d), Utah Code Annotated 1953, as amended;

(b) in accordance with the requirements of Section 52-4-202, Utah Code Annotated 1953, as amended, public notice of the 2020 Annual Meeting Schedule of the Board was given specifying the date, time and place of the regular meetings of the Board scheduled to be held during the year, by causing a Notice of Annual Meeting Schedule for the Board in the form attached as *Exhibit B* to be posted during or before [January 2020], at the principal office of the Board in Salt Lake City, Utah; such Notice of Annual Meeting Schedule having continuously remained so posted and available for public inspection during the regular office hours of the undersigned until the date hereof; and by causing a copy of such Notice of Annual Meeting Schedule to be provided during or before [January 2020] to a newspaper of general circulation within the geographic jurisdiction of Salt Lake City, Utah; and causing a Notice of Annual Meeting Schedule to be posted during or before [January 2020] at the Utah Public Notice Website; and

(c) the Board has adopted written procedures governing the holding of electronic meetings in accordance with Section 52-4-207 Utah Code Annotated 1953, as amended (a copy of which is attached hereto as *Exhibit C*). In accordance with such provisions and the aforementioned procedures, notice was given to each member of the Board and to members of the public at least 24 hours before the meeting to allow members of the Board and the public to participate electronically in the meeting, including a description of how they could be connected to the meeting. [The Board held the meeting at a regularly designated location and provided space and facilities at such anchor location so that interested persons and the public could attend and participate.]



IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the Utah Board of Higher Education, this 21st day of August, 2020.

---

Secretary

[SEAL]

## **SCHEDULE A**

### **PARAMETERS**

PRINCIPAL AMOUNT:	Not to exceed \$11,000,000
TERM:	Not to exceed 32 years from their date or dates.
INTEREST RATE:	Fixed rates such that no coupon rate exceeds 5.50% per annum.
REDEMPTION FEATURES:	Optional redemption at not more than 100% of par within 11 years of issuance.
SALE PRICE:	Not less than 98% of the principal amount of the Bonds.

**EXHIBIT A**

[ATTACH NOTICE OF PUBLIC MEETING]

**EXHIBIT B**

[ATTACH NOTICE OF ANNUAL MEETING SCHEDULE]

**EXHIBIT C**

[ATTACH ELECTRONIC MEETING POLICY]



**Dixie State University  
General Revenue Bonds, Series 2020  
Preliminary Summary Sheet**

Proposed Issue: General Revenue Bonds

Total Approximate Issue Size: \$9,160,000

Use of Funds: To fund the design and construction of an expansion to the Greater Zion Stadium (legislatively approved for up to \$10,000,000 in project costs); satisfy any reserve requirements; pay capitalized interest; and pay associated costs of issuance.

Details of Proposed Series 2020 Bonds:

Principal Amount: Not to exceed \$11,000,000

Interest Rate: Not to exceed 5.5%

Maturity Date: Not to exceed 32 years

Aggregate Discount: Not to exceed 2%

Bond Rating: AA from S&P

Bond Insurance: Bids will be received from Assured Guaranty and Build America Mutual

Tax Exemption: The bonds will be tax exempt

Source of Repayment: Tourism revenue from Washington County

Timetable Considerations: Approval will be sought at an interim meeting of the Board of Higher Education on August 21st. The University is proceeding with plans to sell bonds soon after approval is received, with a tentative competitive sale date planned for September 10<sup>th</sup>. The underwriter will be whichever bidder delivers the lowest combination of rates and fees as determined by the True Interest Cost (TIC). The bond closing date will be September 23<sup>rd</sup>, 2020.