

## **RESOLUTION NO. 868**

### **A RESOLUTION OF CITY OF CANBY, CLACKAMAS COUNTY, OREGON, AUTHORIZING THE ISSUANCE OF WATER SYSTEM REVENUE BONDS FOR A TOTAL NOT TO EXCEED \$2,900,000, AND PROVIDING FOR PUBLICATION OF NOTICE.**

The City of Canby resolves as follows:

#### **Section 1. Findings**

The Council finds as follows:

- 1.1 It is financially feasible and in the best interests of the City to authorize the issuance of bonds under the Uniform Revenue Bond Act to finance improvements to the City's water system, including storage, treatment and security improvements (the "Projects").
- 1.2 The City is authorized to issue revenue bonds for any public purpose under Oregon's Uniform Revenue Bond Act (ORS 288.805 to 288.945 or the "Act"). Revenue bonds issued under the Act may be payable from all or any portion of the water system revenues of the City (the "Water System Revenues").
- 1.3 It is desirable to obtain \$2,900,000 of bonding authority to finance the Projects.
- 1.4 The City will cause a plan to be prepared showing that the City's estimated Water System Revenues which are pledged to pay each series of bonds authorized by this resolution will be sufficient to pay that series.

#### **Section 2. Bonds Authorized**

The City hereby authorizes the issuance of not more than Two Million Nine Hundred Thousand Dollars (\$2,900,000) in aggregate principal amount of revenue bonds to finance the Projects and pay related costs. The bonds shall be issued and sold in accordance with the Act, and shall be payable solely from the Water System Revenues which the City pledges to pay the bonds. Prior to selling the bonds the City Council shall establish by resolution or delegate the authority to establish the terms and conditions of the bonds pursuant to ORS 288.520.

#### **Section 3. Notice; Procedure**

- 3.1 No bonds may be sold, and no purchase agreement for the bonds may be executed, until at least sixty (60) days after publication of the Notice of Revenue Bond Authorization, which is attached to this resolution as Exhibit "A" (the "Notice"). The Notice shall specify the last date on which petitions may be submitted, and shall be published in at least one newspaper of general circulation in the City in the same manner as are other public notices of the City.
- 3.2 If petitions for an election, containing valid signatures of not less than five percent (5%) of the City's electors, are received by the date indicated in the Notice: the question of issuing the bonds shall be placed on the ballot at the next legally available election date; and, no bonds may

be sold under this ordinance until the question of issuing those bonds is approved by a majority of the electors of the City who vote on that question.

#### **Section 4. Bonds Payable Solely from Water System Revenues**

The bonds shall not be general obligations of the City, and neither the authorization nor issuance of the bonds shall authorize the City to levy any additional taxes. The bonds shall be payable solely from the portion of the Water System Revenues which the City pledges to payment of the bonds pursuant to ORS 288.825(1) and the resolution to be adopted by the City pursuant to Section 2 of this resolution.

#### **Section 5. Reimbursement**

The City hereby declares its official intent to reimburse its expenditures on the Projects with the proceeds of the bonds pursuant to United States Treasury Regulation 1.150-2. The City Council hereby authorizes the General Manager or the Finance Manager of the Canby Utility Board to make future declarations of intent to reimburse on behalf of the City.

#### **Section 6. Effective Date**

This resolution takes effect upon adoption by the City Council.

The foregoing Resolution was adopted this 16 day of June, 2004.

**City of Canby**

Melody Thompson  
Mayor

Attest:

Kimberly Schaeffer  
Recorder

## **Exhibit A**

### **Notice of Revenue Bond Authorization**

NOTICE IS HEREBY GIVEN that the City Council of the City of Canby, Oregon (the "City"), adopted Resolution No. 868 on June 16, 2004, authorizing the issuance of water system revenue bonds to finance improvements to the City's water system, including storage, treatment and security improvements (the "Projects").

The City Council may establish by subsequent resolution all terms, conditions and covenants relating to the bonds and the water system revenues that will be pledged to the bonds.

The revenue bonds described in this notice will not be issued in an aggregate principal amount of more than Two Million Nine Hundred Thousand Dollars (\$2,900,000). The bonds shall be payable solely from the portion of the "revenues" (as defined in the Uniform Revenue Bond Act ORS 288.805 to 288.945, or the "Act") from the City's water system which the City pledges to the payment of the bonds. The bonds shall not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from the revenues which the City pledges to the payment of the bonds.

If written petitions requesting an election on the issuance of the bonds, signed by not less than five percent (5%) of the City's electors, are filed at the Office of the City Recorder on or before August 19, 2004, question of issuing the bonds shall be placed on the ballot at the next legally available election date.

The Office of the City Recorder is located at 182 N Holly.

The resolution authorizing the bonds is available for inspection at the Office of the City Recorder.

The bonds will be issued and sold under the Act; this Notice is published pursuant to ORS 288.815(6).

By order of  
THE CITY COUNCIL OF CITY OF  
CANBY, Clackamas County, Oregon