

## RESOLUTION NO. 990

**A RESOLUTION OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF AUTHORIZING UP TO \$19,000,000 OF GENERAL OBLIGATION BONDS TO FINANCE THE COSTS OF CAPITAL CONSTRUCTION AND CAPITAL IMPROVEMENTS; DECLARING INTENT TO REIMBURSE EXPENDITURES; AND RELATED MATTERS.**

WHEREAS, the City Council of the City of Canby, Clackamas County, Oregon (the "City"), has determined that a need exists for the City to finance the costs of capital construction and capital improvements, related to a police and municipal court facility, as more fully described in the Summary section of Exhibit A attached hereto (the "Project"); and

WHEREAS, the costs of the Project are estimated to be not more than \$22,000,000, a portion of which may be financed with tax increment funds and a portion of which may be financed with general obligation bond proceeds; and

WHEREAS, Oregon Revised Statutes Chapter 287A, subject to voter approval, authorizes the City to issue general obligation bonds (the "Bonds") to provide funds to finance the costs of the Project and to pay bond issuance costs; and

WHEREAS, the issuance of bonds in a principal amount of \$19,000,000 will not result in the City exceeding the debt limitation set forth in ORS 287A.050(2); and

WHEREAS, the City anticipates incurring expenditures (the "Expenditures") to finance the costs of the Project and wishes to declare its official intent to reimburse itself for any Expenditures it may make from its general funds on the Project from the proceeds of the Bonds, the interest on which shall be excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended;

NOW, THEREFORE, the City Council of the City of Canby, Clackamas County, Oregon, resolves as follows:

1. A measure election is hereby called for the purpose of submitting to the electors of the City the question of contracting general obligation bonded indebtedness in the name of the City in an amount not to exceed \$19,000,000. Bond proceeds will be used to finance the Project and pay all Bond issuance costs. The Bonds shall mature over a period of not more than twenty-seven (27) years.

2. The measure election hereby called shall be held in the City on the 4th day of November, 2008. As authorized by the County Clerk of Clackamas County, Oregon, and the Oregon Secretary of State, the election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

3. The City authorizes the Mayor, City Administrator, City Recorder and the City Finance Director (each an "Authorized Representative") or a designee of the Authorized Representative to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

4. Pursuant to ORS 250.275(5) and 250.285, the City Elections Officer shall publish in the next available edition of *Canby Herald*, or in some other newspaper of general distribution within the City, a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title not later than the seventh business day after the title is filed with the City Elections Officer in substantially the form attached hereto as Exhibit "A" (the "Notice").

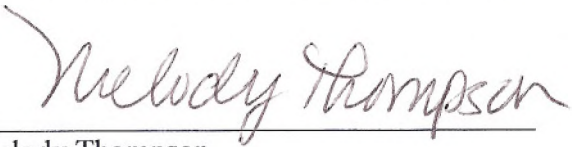
5. Pursuant to ORS 254.095(2) the City directs the City Elections Officer to deliver the Notice to the Clackamas County Elections Office not later than September 4, 2008 (61 days prior to the election). The Clackamas County Elections Office is required to produce and disseminate a facsimile of the ballot in accordance with ORS Section 254.205.

6. The City hereby declares its official intent to reimburse itself with the proceeds of the Bonds for any of the Expenditures incurred by it prior to the issuance of the Bonds.


7. The law firm of Kirkpatrick & Lockhart Preston Gates Ellis LLP, is hereby appointed to serve as bond counsel and Seattle-Northwest Securities Corporation is hereby appointed to serve as underwriter with respect to the Bonds. The City will pay the fees and expenses of bond counsel and underwriter from Bond proceeds.

8. This resolution shall take effect immediately upon its adoption by the City Council.

ADOPTED by the City Council of the City of Canby, Clackamas County, Oregon this  
2nd day of July, 2008.

  
\_\_\_\_\_  
Melody Thompson  
Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly Scheafer, CMC  
City Recorder Pro Tem



**EXHIBIT "A"**

**NOTICE OF BOND ELECTION**

**CITY OF CANBY  
CLACKAMAS COUNTY, OREGON**

**NOTICE IS HEREBY GIVEN** that on November 4, 2008, an election will be held within the boundaries of the City of Canby, Clackamas County, Oregon. The election shall be conducted by mail. The following question will be submitted to the qualified voters thereof:

**CAPTION**

**CANBY POLICE AND COURT FACILITY  
GENERAL OBLIGATION BOND AUTHORIZATION**

**QUESTION**

Shall the City of Canby issue \$19,000,000 in general obligation bonds to construct a new police and municipal court facility? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

**SUMMARY**

If approved, this measure would finance the construction of an approximately 68,500 square foot police and municipal court facility and related infrastructure and pay costs of issuing the bonds. The facility would be located along SE Sequoia Parkway in the Canby Pioneer Industrial Park. It is anticipated to house police administration offices, police training and interview rooms, a firearms area, an inmate intake center, evidence storage lockers, a municipal courtroom, offices for the City Attorney, Municipal Judge and Court Clerks, a community meeting room and the City's Emergency Operations Center. Presently, many of these functions are located in separate permanent and leased facilities across the City. This project would centralize police and court facilities and operations and facilitate coordination of these City functions. This project provides space anticipated to meet police and municipal court needs through the year 2030.

The bonds would mature in twenty-seven (27) years or less from the date of issuance and may be issued in one or more series.

Notice is hereby given that a ballot title for a measure referred by the City has been filed with the City Elections Officer on July 7, 2008. The ballot title caption is CANBY POLICE AND COURT FACILITY GENERAL OBLIGATION BOND AUTHORIZATION. An elector may file a petition for review of this ballot title in the Clackamas County Circuit Court no later than 5:00 p.m., July 16, 2008 (7 business days after filing of this notice with the City Elections Officer).

  
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Kimberly Scheafer, CMC  
City Recorder Pro-Tem

7.7.08  
Date

**This legal notice is to be published by the City Elections Officer in *Canby Herald*, Canby, Oregon, or in another newspaper of general distribution within the City.**