

ORDINANCE NO. 1946
ORDINANCE BILL NO. 22

AN ORDINANCE OF THE CITY OF LEBANON, OREGON AUTHORIZING THE ISSUANCE AND SALE OF \$420,000 GENERAL OBLIGATION STREET BONDS, SERIES 1984, AUTHORIZING A SPECIAL AD VALOREM TAX LEVY, PLEDGING TAX INCREMENT FUNDS, DESIGNATING A PAYING AGENT AND REGISTRAR, AUTHORIZING THE PUBLICATION OF A NOTICE OF SALE, AND DECLARING AN EMERGENCY.

WHEREAS, the Common Council of the City of Lebanon, Oregon (the "City") on September 28, 1983 adopted Resolution 17 submitting to the voters of the City at a special election the question of contracting a general obligation bonded indebtedness in an amount not to exceed \$420,000 for improvements to South Main Road within the City; and

WHEREAS, at a special election held within the City on November 8, 1983 voters of the City voting at the election approved of the issuance of the General Obligation Street Bonds; and

WHEREAS, in order to proceed with the orderly construction of the improvements to South Main Road, it is necessary and desirable for the City of Lebanon, Oregon to authorize the issuance and the public competitive sale of the General Obligation Bonds and to close such sale on or before November 5, 1984.

NOW, THEREFORE, THE CITY OF LEBANON DOES ORDAIN AS FOLLOWS:

Section 1. The Common Council of the City of Lebanon, Oregon does hereby authorize the issuance and public competitive sale of \$420,000 of general obligation street bonds. The Bonds shall be serial negotiable general obligation street bonds of the City and shall bear interest at a rate not to exceed Twelve Percent (12%) per annum, payable semi-annually. The Bonds shall be payable in any coin or currency which at the time of payment is legal tender for the payment of public and private debts within the United States of America.

Section 2. The Bonds shall be entitled "City of Lebanon, Oregon, General Obligation Street Bonds, Series 1984" and shall bear the facsimile signature of the Mayor of the City and the facsimile signature of the City Administrator. In addition, the

Common Council does hereby request and authorize the Bond Registrar to execute the Certificate of Authentication as of the date of delivery of the Bonds.

The Bonds shall be issued in fully registered form, shall be in denominations of Five Thousand Dollars (\$5,000) each, or integral multiples thereof, shall be dated November 1, 1984 and shall be numbered sequentially beginning with R-1, and shall mature serially in annual installments on the first day of November, as follows:

<u>Year</u>	<u>Amount</u>
1985	\$15,000
1986	15,000
1987	15,000
1988	20,000
1989	20,000
1990	20,000
1991	25,000
1992	25,000
1993	30,000
1994	30,000
1995	35,000
1996	35,000
1997	40,000
1998	45,000
1999	50,000

Section 3. The principal of the Bonds shall be payable upon delivery of the Bonds at maturity at the office of the Paying Agent in Portland, Oregon. Payment of each installment of interest due on May 1 and November 1 of each year shall be made by check or draft of the Paying Agent mailed to the registered owner thereof whose name and address appears on the registration books of the City maintained by the Paying Agent as of the close of business on the 15th day of the month next preceding the interest payment date.

Section 4. The Bonds shall be issued substantially in the form set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

Section 5. The Common Council does appoint and designate the First Interstate Bank of Oregon, N.A. of Portland, Oregon, as the Paying Agent and Registrar of the Bonds. The City Administrator

is authorized to negotiate and execute on behalf of the City a Paying Agent and Registrar Agreement. The Agreement shall provide for compliance with Oregon Administrative Rule 170-61-010.

Section 6. The Bonds are transferable, or subject to exchange, for fully registered Bonds in the denomination of \$5,000, or integral multiples thereof by the registered owner thereof in person, or by the owner's attorney, duly authorized in writing, at the office of the Bond Registrar. The Paying Agent shall maintain a record of the names and addresses of the registered owners of the Bonds. The records of registered bond ownership are not public records within the meaning of Oregon Revised Statutes 192.410(4).

All bonds issued upon transfer, or in exchange, for Bonds shall be valid general obligations of the City evidencing the same debt and entitled to the same benefits as the Bonds surrendered for such exchange or transfer. All fees, expenses and charges of the Paying Agent and of the Bond Registrar shall be payable by the City. The Bond Registrar shall not be required to transfer or exchange any Bond after the close of business on the 15th day of the month next preceding any interest payment date.

Section 7. The City Administrator is authorized to contract for the printing of the Bonds. The City Administrator may provide for the printing of, in addition to the original issue of Bonds, additional bonds to be printed in blank form as to registration and to be designated by appropriate number for the Bond Registrar for delivery to the registered owner upon transfer or exchange of Bonds. The additional bonds shall be dated as of November 1, 1984, shall be signed by the facsimile signature of the present Mayor of the City and by the facsimile signature of the present City Administrator and the Bond Registrar shall manually sign the Certificate of Authentication as of the date of the transfer of the Bonds.

Section 8. The full faith and credit of the City are pledged to the successive owners of each of the Bonds for the punctual payment of the principal of and interest on the Bonds when due. The City shall levy annually, as provided by law, a direct ad valorem tax upon all of the taxable property within the City in sufficient amount, without limitation, to pay the principal of and interest on the Bonds promptly as they become due and payable. The City hereby covenants with the owners of the Bonds to levy such a tax in sufficient amount to pay the principal of and interest on the Bonds as they respectively become due and payable.

Section 9. The City does pledge to the payment of the principal of and interest on the Bonds the tax increment levy proceeds collected by the City from the South Main Road Urban Renewal Area Project. The City Administrator is authorized to create a special Debt Service Fund and there shall be deposited to the Debt Service Fund not less frequently than annually the net tax increment levy proceeds collected from the South Main Road Urban Renewal area. The tax increment funds, together with earnings thereon, shall first be applied in payment upon the maturing principal of and interest on the Bonds. If such funds are insufficient to pay debt service the City covenants to levy a tax as provided in Section 8 of this Ordinance sufficient to pay the Bonds.

Section 10. The Bonds maturing after November 1, 1992 are subject to call and redemption, at the option of the City, on November 1, 1992 and on any interest payment date thereafter at par value, together with interest accrued to the date of redemption. The Bonds shall be subject to redemption in whole, or in part, in integral multiples of \$5,000, in inverse order of maturity and by lot within a maturity. Notice of redemption shall be published as provided by law and shall be given by registered or certified mail not less than thirty (30) days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books of the City. Bonds called for redemption shall be payable at the office of the Paying Agent.

Section 11. The proceeds of the Bonds shall be used and invested in such manner that the Bonds shall not become "arbitrage bonds" within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended, and the regulations issued thereunder.

Section 12. The City Administrator is authorized to establish a date of sale and to advertise the Bonds for public sale at a price not less than par value thereof and accrued interest to date of delivery. The Notice of Sale shall be published as provided by law. The Notice of Sale shall specify that the City reserves the right to reject any and all bids, and in other respects the Notice shall comply with the provisions of Chapter 287 Oregon Revised Statutes, as amended. The bids for the Bonds shall be based upon the true interest cost to the City. All rates bid must be in integral multiples of one-eighth or one-twentieth of one percent. All bonds of the same maturity must bear a single rate from the date of issue to maturity.

Section 13. Messrs. Rankin, McMurry, VavRosky & Doherty, of Portland, Oregon are hereby appointed Bond Counsel for the issuance of the Bonds.


Section 14. The City shall prepare, with the assistance of its financial advisor, a preliminary official statement for the Bonds, which shall be available for distribution to prospective bidders not later than the date on which the Notice of Bond Sale is first published. When advised by staff that the final official statement does not contain any untrue statement of a material fact or omit to state any material fact necessary to make the statements contained in the official statement not misleading in the light of the circumstances under which they are made, the City Administrator is authorized to certify the accuracy of the official statement on behalf of the City.

Section 15. The City Administrator is authorized to execute the Arbitrage Certificates and any and all additional documents which may be reasonably required to issue, sell and deliver the Bonds.

Section 16. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

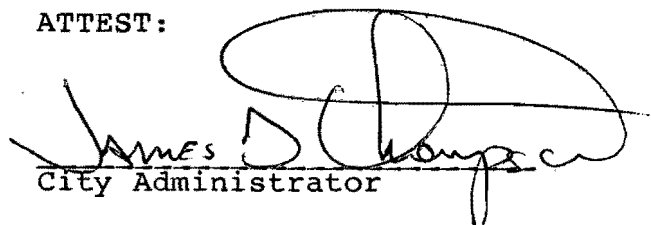
PASSED by the Council in open session this 10th day of October, 1984.

CITY OF LEBANON



Mayor

ATTEST:



City Administrator