

RESOLUTION NO. 02-009

RESOLUTION AUTHORIZING THE ISSUANCE OF REVENUE BONDS AND DIRECTING THE PUBLISHING OF A NOTICE OF INTENT TO ISSUE REVENUE BONDS IN COMPLIANCE WITH THE UNIFORM REVENUE BOND ACT AND EVIDENCING ITS OFFICIAL INTENT TO REIMBURSE CAPITAL EXPENDITURES.

WHEREAS, the City of The Dalles, Oregon (the "City") desires to undertake the construction of T-hangars at the municipal airport (the "Improvements"); and

WHEREAS, the City finds it desirable to obtain authority to issue revenue bonds (the "Revenue Bonds") pursuant to the Uniform Revenue Bond Act, in an amount not to exceed \$340,000 to finance the construction of the Improvements and the costs of issuance of the Revenue Bonds and to pledge to the repayment of the Revenue Bonds the revenues generated from the Improvements and the unobligated and legally available revenues of the City, including the City's general funds.

WHEREAS, United States Treasury Regulation Section 1.150-2 sets forth certain requirements that must be complied with in order for the reimbursement with proceeds of bonds to qualify as an expenditure of bond proceeds.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF THE DALLES, OREGON AS FOLLOWS:

Section 1. The City hereby authorizes the issuance of the Revenue Bonds in a principal amount not to exceed \$340,000 for the purpose of financing the cost of the Improvements, the cost of issuance of the Revenue Bonds and related costs.

Section 2. The Revenue Bonds shall not be general obligations of the City but shall be payable solely from revenues generated from the Improvements and the unobligated and legally available revenues of the City, including the City's general funds, and such funds shall be pledged to the payment of principal of and interest on the Revenue Bonds.

Section 3. The City hereby designates the Revenue Bonds for purposes of paragraph (3) of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code") as "qualified tax-exempt obligations" and covenants that the Revenue Bonds do not constitute private activity bonds as defined in Section 141 of the Code, and that not more than \$10,000,000 aggregate principal amount of obligations, the interest on which is excludable under Section 103(a) of the Code from gross income for federal income tax purposes (excluding, however, private activity bonds other than qualified 501(c)(3) bonds) including the Revenue Bonds, have been or shall be issued by the City, including all subordinate entities of the City, if any, during the calendar year 2002.

Section 4. The City Manager or Finance Director is authorized and directed to publish a Notice of Intent to Issue Revenue Bonds, describing the purposes for which the Revenue Bonds are to be issued, in the form attached hereto as Exhibit A, in one issue of The Dallas Chronicle, a newspaper of general circulation within the geographical boundaries of the City, and in the same manner as are other public notices of the City. The Revenue Bonds may not be sold at public competitive bid, nor shall a purchase agreement be executed for a private negotiated sale, for at least 60 days following publication of the Notice of Intent to Issue Revenue Bonds.

Section 5. Electors residing within the geographical boundaries of the City may file a petition with the City asking to have the question of whether to issue the Revenue Bonds referred to a vote. If the City receives petitions containing valid signatures of the City's electors totaling not less than five percent (5%) of the City's electors, the question of issuing the Revenue Bonds shall be placed on the ballot at the next legally available election date. In the event the City receives such a petition within (60) days from publication of the Notice of Intent to Issue Revenue Bonds, the Revenue Bonds shall not be sold until this Resolution is approved by a majority of the electors of the City voting on this Resolution.

Section 6. It is the reasonable official intent of the City to reimburse itself for the capital expenditures associated with the Improvements with the proceeds of such bonds in the principal amount not to exceed \$340,000. This declaration of official intent is given pursuant to United States Treasury Regulations Section 1.150-2.

Section 7. The City appoints Mersereau & Shannon LLP to serve as Bond Counsel in connection with the issuance of the Revenue Bonds.

Section 8. The effective date of this Resolution is June 24, 2002

**PASSED AND ADOPTED THIS**

Voting Yes, Councilors:	<u>Zukin, Davison, Broehl, Davis, Tenney</u>
Voting No, Councilors:	<u>None</u>
Absent, Councilors:	<u>None</u>
Abstaining, Councilors:	<u>None</u>

**AND APPROVED BY THE MAYOR THIS 24<sup>TH</sup> DAY OF JUNE, 2002**

SIGNED: Mary Ann Davis  
Robb E. Van Cleave, Mayor

ATTEST: Julie Krueger  
Julie Krueger, CMC, City Clerk

CITY OF THE DALLES, OREGON  
NOTICE OF INTENT TO ISSUE REVENUE BONDS

NOTICE IS HEREBY GIVEN that on June 24, 2002 the City Council of the City of The Dalles, Oregon (the "City") adopted Resolution No. 02-009 authorizing the issuance of revenue bonds (the "Bonds") as authorized by Oregon Revised Statutes 288.805 to 288.945, inclusive, in an amount not to exceed \$340,000 for the purpose of financing the cost of construction of T-hangars at the municipal airport and to pay the costs of issuance of the Bonds.

Principal of and interest on the Bonds shall be paid solely from the revenues generated by the T-hangars and the unobligated and legally available revenues of the City, including the City's general funds and shall not be a general obligation of the City.

Electors residing within the City may file a petition with the City within sixty (60) days of the publication of this notice asking to have the question of whether to issue the Bonds referred to a vote. If not less than five percent (5%) of the City's registered electors sign such petition and it is filed with the City within sixty (60) days of the publication of this notice, the question of issuing such Bonds shall be placed on the ballot at the next legally available election date. If sufficient petitions are not filed, the City may proceed to issue the Bonds.

Resolution No. 02-009 is available for inspection at the office of the City Recorder, 313 Court Street N.E., The Dalles, Oregon 97058.

CITY OF THE DALLES, OREGON