

RESOLUTION NO. 2132

Introduced by All Commissioners

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WARRENTON, OREGON CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF CONTRACTING A GENERAL OBLIGATION BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$ 10,000,000.00 AND EVIDENCING ITS OFFICIAL INTENT TO REIMBURSE CAPITAL EXPENDITURES.

WHEREAS, the City Commission of the City of Warrenton, Oregon (the "City") has determined that there is a need for the City to finance improvements to the wastewater collection, treatment and disposal system of the City as described in the Notice of Measure Election attached hereto (the "Project"); and

WHEREAS, ORS 287.004 and the Charter of the City authorize the City to issue general obligation bonds if approved by the City's electors; and

WHEREAS, the cost of such Projects is estimated to be not less than \$ 10,000,000.00, including the cost of issuance of bonds issued to finance the Project; and

WHEREAS, the City intends to call an election to seek voter approval to issue general obligation bonds to finance the Project; and

WHEREAS, the City intends to reimburse itself for capital expenditures related to the Project with the proceeds of the general obligation bonds; and

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, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WARRENTON, OREGON AS FOLLOWS:

1. That an election is hereby called for the purpose of submitting to the electors of the City the question of contracting a general obligation bonded indebtedness in an amount not to exceed \$ 10,000,000.00 to finance the Project. The bonds shall mature over a period of not more than 20 years from date of issuance.
2. That the election hereby called shall be held on the 16<sup>th</sup> day of May, 2006, and will be conducted by mail.
3. That the City directs that there shall be delivered to the elections officer of Clatsop County, Oregon not later than the 61st day before the date of the election the Notice of Measure Election attached hereto, with such changes as are approved by the Mayor, City Manager and Bond Counsel.

4. That the City Recorder shall cause the Notice of Measure Election and sample ballot to be posted and published in accordance with the laws of the State of Oregon.

5. If the bonds are approved by the voters, 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. Pursuant to ORS 310.145, the City hereby classifies the tax levy described in this section to be taxes imposed to pay the principal and interest on exempt bonded indebtedness and such taxes are not subject to the limits of section 11 or 11b, Article XI of the Oregon Constitution.

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

7. Pursuant to ORS 221.310(3), this resolution shall become effective upon passage by the Commission.

DATED this 28<sup>th</sup> day of February, 2006

CITY OF WARRENTON  
CLATSOP COUNTY, OREGON

APPROVED:

  
Mayor, Gilbert Gramson

ATTEST:

  
City Recorder, Linda Engbretson