

RESOLUTION NO. 549

A RESOLUTION AUTHORIZING ISSUANCE OF SEWER REVENUE BONDS UNDER THE UNIFORM REVENUE BOND ACT.

BE IT RESOLVED BY THE STAYTON CITY COUNCIL that:

Section 1. Findings

The Stayton City Council finds that:

- 1.1 The City is authorized to finance capital improvements to its sewer system (Project) by issuing revenue bonds pursuant to Oregon's Uniform Revenue Bond Act (ORS 288.805 to 287.945) (ACT).
- 1.2 The cost of the Project, including bond issuance costs and debt service reserves, is estimated to not exceed eight million seven hundred ninety-three thousand dollars (\$8,793,000). The City expects to obtain grants which will reduce the cost of the Project which the City will finance with bonds.
- 1.3 The City will cause to be prepared a plan showing that the City's estimated net sewer revenues are sufficient to pay the estimated debt to be incurred by the City under the revenue bond issue authorized by this resolution.

Section 2. Revenue Bonds Authorized

The City hereby authorizes the issuance of not more than eight million seven hundred and ninety-three thousand dollars in aggregate principal amount of sewer revenue bonds. Prior to selling the bonds the Stayton City Council shall establish by resolution or ordinance:

- 2.1 Whether the bonds shall be sold at public competitive bid sale or private negotiated sale;
- 2.2 The maximum discount to be allowed upon sale of the bonds;
- 2.3 The schedule for bond principal repayment;
- 2.4 The terms under which additional bonds may be issued;
- 2.5 The terms by which bonds may be redeemed prior to maturity;
- 2.6 The amount of any reserves to be established for the bonds and the manner in which the reserves shall be funded;
- 2.7 The minimum amount of sewer revenues which the City shall be required to impose to protect the security of the bondowners;

- 2.8 The covenants which the City will make with bondowners regarding operation of the Project and the imposition and collection of sewer revenues;
- 2.9 The revenues to be pledged to payment of the bonds;
- 2.10 Whether the pledged revenues shall be held by a trustee, and if they are so held, the trustee's duties;
- 2.11 Whether security interests should be granted; and
- 2.12 Any other terms, conditions, or covenants regarding the bonds, the Project, or the revenues which are necessary or desirable to effect the sale of the bonds.

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 the publication of the Notice of Revenue Bond Authorization, which is attached to this resolution as Exhibit A (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 within the time indicated in the Notice, the question of issuing the bonds shall be placed on the ballot at the next legally available election date. If such petitions are received, the bonds authorized by this resolution shall not be sold until the question of issuing the bonds is approved by a majority of the electors of the City who vote on that question.
- 3.3 The bonds shall be issued and sold in accordance with the Act.

Section 4. Bonds Payable Solely from Revenues

The bonds shall not be general obligations of the City, nor a charge upon its tax revenues, but shall be payable solely from the sewer revenues which the City pledges to payment of the bonds pursuant to ORS 288.825(1) and Section 2.9 of this resolution.

Considered and enacted by the Stayton City Council at a regular meeting held on the 1st day of August 1994.

Date: 8-04-94 By: *Willmer Van Vleet*
WILLMER VAN VLEET, Mayor

Date: 8-02-94 Attest: *David W. Kinney*
DAVID W. KINNEY, City Administrator

NOTICE OF REVENUE BOND AUTHORIZATION

NOTICE IS HEREBY GIVEN that the Stayton City Council, City of Stayton, Oregon (City), adopted Resolution No. 549, on 1 August 1994, authorizing the issuance of sewer revenue bonds. The bonds will be issued to finance capital improvements to the City's sewer system (Project).

The Stayton City Council may establish by subsequent resolution all terms, conditions, and covenants regarding the bonds, the levels of sewer revenues which the City will be required to impose and collect and the use of those revenues, and the use and operation of the sewer system and the Project to be financed with the bonds, which are desirable to facilitate the sale of the bonds.

The City estimates that total costs of the Project may be eight million seven hundred and ninety-three thousand dollars. The City will issue revenue bonds in an amount equal to the total costs of the Project, less grants the City receives for the Project. Bond principal and interest will be paid solely from sewer revenues. The bonds will not be general obligations of the City, nor a charge upon its tax revenues, but will be payable solely from the sewer revenues which the City pledges to the payment of the bonds.

If written petitions, signed by not less than five percent (5%) of the City's electors, are filed at the Office of the City Administrator on or before 3 October 1994, the question of issuing the revenues bonds shall be placed on the ballot at the next legally available election date.

The Office of the City Administrator is located at Stayton City Hall, 362 N. Third Avenue, Stayton OR 97383.

The resolution authorizing the bonds is available for inspection at Stayton City Hall.

The bonds will be issued and sold under the Uniform Revenue Bond Act (ORS 288.805 to 288.945); this Notice is published pursuant to ORS 288.815(6).

BY ORDER OF THE CITY COUNCIL OF THE CITY OF STAYTON.