

## ORDINANCE No. 184513

- \* Authorize refunding of urban renewal bonds for Downtown Waterfront, Oregon Convention Center and South Park Blocks urban renewal areas (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City may achieve debt service savings by refunding urban renewal and redevelopment bonds that the City has issued for the Downtown Waterfront urban renewal area, the Oregon Convention Center urban renewal area and the South Park Blocks urban renewal area.
2. The Portland Development Commission has adopted a resolution requesting the City to issue refunding bonds for these urban renewal areas pursuant to Section 15-106 of the City Charter.
3. The City adopts this Ordinance to authorize the issuance of refunding bonds to achieve debt service savings.

NOW, THEREFORE, the Council directs:

- a. Authorization. The City hereby authorizes the sale and delivery of urban renewal and redevelopment bonds to refund outstanding bonds that the City has issued for the Downtown Waterfront, the Oregon Convention Center and the South Park Blocks urban renewal areas. Proceeds of the bonds authorized by this ordinance (the "Bonds") shall be used to refund and pay outstanding City bonds, to fund any required debt service reserves, and to and to pay costs related to the refunding.
- b. Security for Bonds.
  1. The Bonds shall not be general obligations of the City or the Commission.
  2. The Bonds that are issued to refund bonds secured by the tax increment revenues of the Downtown Waterfront urban renewal area shall be payable solely from the tax increment revenues of the Downtown Waterfront urban renewal area and related amounts.
  3. The Bonds that are issued to refund bonds secured by the tax increment revenues of the Oregon Convention Center urban renewal area shall be payable solely from the tax increment revenues of the Oregon Convention Center urban renewal area and related amounts.
  4. The Bonds that are issued to refund bonds secured by the tax increment revenues of the South Park Blocks urban renewal area shall be payable solely from the tax

increment revenues of the South Park Blocks urban renewal area and related amounts.

- c. Delegation. The Debt Manager of the City, the Chief Financial Officer of the Bureau of Financial Services, the Chief Administrative Officer of the Office of Management and Finance, or the person designated by the Chief Administrative Officer of the Office of Management and Finance to act as Debt Manager under this ordinance (each of whom may act independently and all of whom is referred to in this ordinance as the “Debt Manager”) may, on behalf of the City:
1. Issue the Bonds for each urban renewal area as one or more separate series.
  2. Participate in the preparation of, authorize the distribution of, and deem final the preliminary and final official statements and any other disclosure documents for each series of the Bonds.
  3. Establish the final principal amounts, maturity schedules, interest rates, sale prices, redemption terms, payment terms and dates, and other terms for each series of the Bonds, select one or more lenders or underwriters and negotiate the terms of the sale of any series of Bonds with those lenders or underwriters, or publish a notice of sale, receive bids and award the sale of that series to the bidder complying with the notice and offering the most favorable terms to the City.
  4. Issue any series of Bonds for an urban renewal area on a parity with outstanding bonds for that area, or issue any series of Bonds for an urban renewal area with a lien on the tax increment revenues of an area that is subordinate to the lien of outstanding bonds for that area.
  5. Undertake to provide continuing disclosure for each series of the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission.
  6. Finalize the terms of, execute and deliver a bond declaration for each series of Bonds (a “Declaration”), which complies with the limitations in this ordinance by otherwise may have any terms or covenants that the Debt Manager determines are desirable to obtain favorable financing terms.
  7. Appoint and enter into agreements with paying agents and other professionals and service providers.
  8. Apply proceeds of the Bonds to pay and retire outstanding tax increment bonds.
  9. Qualify any series of Bonds for any federal interest subsidies that Congress may approve.

10. Issue any series of Bonds with interest that is excludable from gross income under the United States Internal Revenue Code of 1986, as amended (the "Code"), or with interest that is includable in gross income under the Code.
11. Enter into covenants to maintain the ability of owners of any series of Bonds to exclude interest payments from gross income under the Code, or to maintain the ability of the City to receive federal interest subsidies.
12. Execute and deliver any documents and take any other action in connection with the Bonds that the Debt Manager finds will be advantageous to the City.

Section 2. The Council declares that an emergency exists in order to allow the Bonds to be issued while interest rates are favorable; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, APR 13 2011

Mayor Sam Adams

Prepared by: Bond Counsel:EJ/JB

Date Prepared: March 29, 2011

**Lavonne Griffin-Valade**

Auditor of the City of Portland

By

  
Deputy

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Agenda No. **184513**  
**ORDINANCE NO.**  
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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Sam Adams</b>	CLERK USE: DATE FILED <u>APR 08 2011</u>
<b>COMMISSIONER APPROVAL</b>	
Mayor—Finance and Administration - Adams	<i>Clay Hall</i> LaVonne Griffin-Valade Auditor of the City of Portland
Position 1/Utilities - Fritz	
Position 2/Works - Fish	By: <i>J Anderson</i> Deputy
Position 3/Affairs - Saltzman	
Position 4/Safety - Leonard	
<b>BUREAU APPROVAL</b> <i>AB</i>	<b>ACTION TAKEN:</b>
Bureau: Financial Services Bureau Head: Rich Goward <i>RG</i>	
Prepared by: Jonas Biery:PT <i>TB</i> Date Prepared: March 29, 2011	
Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date <b>April 13, 2011</b>	
<b>City Attorney Approval</b>	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	