

ORDINANCE No. 185151

* Authorize limited tax revenue refunding bonds (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City issued its Limited Tax Revenue Bonds, 2004 Series A (the "Refundable Bonds") to refinance the City's Limited Tax Revenue Bonds, 1996 Series A (Capital Improvements and Renovation) and to refinance a line of credit that financed land acquisition and capital improvements for the public parks system. The Refundable Bonds are currently outstanding in the amount of \$11,120,000.
2. Current interest rates are lower than the interest rates borne by the Refundable Bonds and the City may be able to obtain debt service savings by refunding all or a portion of the Refundable Bonds.
3. The City is authorized to issue limited tax revenue bonds to refund outstanding limited tax revenue bonds by ORS 287A.360 to 287A.380.
4. The Refundable Bonds are secured by the City's full faith and credit.
5. The City adopts this ordinance to authorize the refunding of all or any portion of the City's Refundable Bonds to achieve debt service savings.

NOW, THEREFORE, the Council directs:

- a. Authorization of Refunding Bonds. The City hereby authorizes the sale and delivery of limited tax revenue bonds (the "Refunding Bonds") pursuant to ORS 287A.360 to 287A.380 to refund all or any portion of the City's Refundable Bonds to obtain debt service savings. The Refunding Bonds may be issued in an amount sufficient to pay and redeem the Refundable Bonds being refunded and to pay costs related to the Refunding Bonds.
- b. Security. The Refunding Bonds shall be full faith and credit obligations of the City which are payable from any legally available funds of the City.
- c. Delegation. The Debt Manager of the City, the City Treasurer, 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 (any of whom is referred to in this ordinance as a "Debt Manager") may, on behalf of the City and without further action of the Council:
 1. Provide that the Refunding Bonds may be issued in one or more series which may be sold at different times.

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 Refunding Bonds.
3. Establish the final principal amounts, maturity schedules, interest rates, sale prices, redemption terms, payment terms and dates, record dates and other terms for each series of the Refunding Bonds, and either publish a notice of sale, receive bids and award the sale of each series to the bidder complying with the notice and offering the most favorable terms to the City, or select one or more underwriters or lenders and negotiate the sale of any series with those underwriters or lenders.
4. Undertake to provide continuing disclosure for each series of the Refunding Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission.
5. Finalize the terms of, execute and deliver bond declarations that describe the terms of each series of the Refunding Bonds. The bond declarations may also contain covenants for the benefit of the owners of the Refunding Bonds.
6. Appoint and enter into agreements with escrow agents, paying agents, verification agents and other professionals and service providers for the Refunding Bonds.
7. Enter into covenants to maintain the excludability of interest on each series of the Refunding Bonds from gross income under the Internal Revenue Code of 1986, as amended.
8. If permitted by federal law, issue Refunding Bonds as taxable bonds that are eligible for federal interest subsidies or tax credits.
9. Execute any documents and take any other action in connection with the Refunding Bonds which the Debt Manager finds will be advantageous to the City.

Section 2. The Council declares that an emergency exists in order that Refunding Bonds may 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: FEB 15 2012

Mayor Sam Adams

Prepared by: Bond Counsel: Jonas Biery *JB*

Date Prepared: February 1, 2012

LaVonne Griffin-Valade

Auditor of the City of Portland

By

Susan Parsons
Deputy

Agenda No.
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams	CLERK USE: DATE FILED <u>FEB 10 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams <i>Sam Adams</i> Position 1/Utilities – Fritz Position 2/Works – Fish Position 3/Affairs - Saltzman Position 4/Safety – Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy
BUREAU APPROVAL Bureau: Financial Services Bureau Head: Rich Goward <i>RG</i> Prepared by: Jonas Biery:KB Date Prepared: February 1, 2012 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 February 15, 2012 City Attorney Approval	ACTION TAKEN:

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input checked="" type="checkbox"/>
REGULAR <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	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	_____	_____
Adams	Adams	✓	