

## ORDINANCE No. 188279

\* Authorize limited tax revenue refunding bonds to obtain debt service savings on 2007 Series C Bonds, Archives Space Acquisition Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City issued its Limited Tax Revenue Bonds, 2007 Series C (Archives Space Acquisition Project), referred to in this ordinance as the "Refundable Bonds," to finance costs of acquiring a condominium interest in a building on the Portland State University Campus that houses the City archives.
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 pay costs related to the Refunding Bonds.
- b. Security. The Refunding Bonds shall be secured by the City's full faith and credit and taxing power as provided in ORS 287A.315. The City expects to pay the Refunding Bonds primarily from available General Fund revenues.
- c. Delegation. The City's Debt Manager, Chief Financial Officer and the Director of the Bureau of Revenue and Financial Services, 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. Apply for and purchase municipal bond insurance or other forms of credit enhancements for each series of the Refunding Bonds, and enter into related agreements.
6. 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 and providers of credit enhancement.
7. Appoint and enter into agreements with escrow agents, paying agents, verification agents and other professionals and service providers for the Refunding Bonds.
8. Call, refund and defease all or any portion of the Refundable Bonds.
9. Determine whether each series of Refunding Bonds will bear interest that is includable in gross income, or is excludable from gross income, and, if a series of Refunding Bonds is intended to bear interest that is excludable from gross income, 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.
10. If permitted by federal law, issue Refunding Bonds as taxable bonds that are eligible for federal interest subsidies or tax credits and make related covenants.
11. 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.

MAR 15 2017

Passed by the Council:

Mayor Ted Wheeler


Prepared by: Bond Counsel:Eric Johansen

Date Prepared: February 28, 2017

**Mary Hull Caballero**

Auditor of the City of Portland

By

  
Deputy

✓140

252  
Agenda No.  
**ORDINANCE NO. 188279**  
Title

\* Authorize limited tax revenue refunding bonds to obtain debt service savings on 2007 Series C Bonds, Archives Space Acquisition Project (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Ted Wheeler</b></p>	<p>CLERK USE: DATE FILED <u>MAR 07 2017</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler <i>KAD</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: Revenue and Financial Services</p> <p>Bureau Head: Ken Rust <i>IK for Ken Rust</i></p> <p>Prepared by: Bond Counsel: Eric Johansen <i>[Signature]</i></p> <p>Date Prepared: 2/28/2017</p> <p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document</p> <p>If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b> required for Code Ordinances</p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>3/15/2017</b></p>	<p><b>ACTION TAKEN:</b></p>

<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____ (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p><b>Total amount of time needed: 5 minutes</b> (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz ✓</td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish ✓</td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman ←</td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly ✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler ✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Fritz	1. Fritz ✓		2. Fish	2. Fish ✓		3. Saltzman	3. Saltzman ←		4. Eudaly	4. Eudaly ✓		Wheeler	Wheeler ✓	
FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:																					
	YEAS	NAYS																				
1. Fritz	1. Fritz ✓																					
2. Fish	2. Fish ✓																					
3. Saltzman	3. Saltzman ←																					
4. Eudaly	4. Eudaly ✓																					
Wheeler	Wheeler ✓																					