

## ORDINANCE No. 183530

\* Authorize general obligation refunding bonds (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City has issued its General Obligation Parks Refunding Bonds, 2001 Series A to refund bonds issued to finance improvements to City parks (the "2001 Parks Bonds").
2. Current interest rates are lower than the interest rates borne by the 2001 Parks Bonds and the City may be able to obtain debt service savings by refunding all or a portion of the 2001 Parks Bonds.
3. The City has issued other general obligation bonds, and interest rates may from time to time be lower than the rates on those bonds.
4. The City is authorized to issue general obligation bonds to refund outstanding general obligation bonds by ORS 287A.360 to 287A.380.
5. The City adopts this ordinance to authorize the refunding of all or any portion of the City's 2001 Parks Bonds and any other general obligation bonds that meet the City's debt service savings policy for refundings.

NOW, THEREFORE, the Council directs:

- a. Authorization of Refunding Bonds. The City hereby authorizes the sale and delivery of general obligation bonds (the "Refunding Bonds") pursuant to ORS 287A.360 to 287A.380 to refund all or any portion of the City's outstanding general obligation bonds, including the 2001 Parks Bonds, that meet the City's debt service savings policy for refundings. The Refunding Bonds may be issued in an amount sufficient to pay and redeem the general obligation bonds that are being refunded, plus an amount sufficient to pay estimated costs related to the refunding and the Refunding Bonds. The authority provided under this Section 1.a. shall remain in effect though December 31, 2011.
- b. Security. The Refunding Bonds shall be general obligations of the City and the City may levy an ad valorem property tax in an amount sufficient to pay the Refunding Bonds.
- 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 (any of whom is referred to in this ordinance as a "Debt Manager") may, on behalf of the City:
  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 commercial banks and negotiate the sale of any series with those underwriters or commercial banks.
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. Contribute amounts in the General Obligation Debt Fund to pay the refunded bonds and reduce the amount of the Refunding Bonds.
6. File advance refunding plans with the State of Oregon.
7. 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.
8. 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.
9. Appoint and enter into agreements with escrow agents, paying agents, verification agents and other professionals and service providers for the Refunding Bonds.
10. 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.
11. If permitted by federal law, issue refunding bonds as taxable "Build America Bonds" or other types of bonds that are eligible for a federal interest subsidies or tax credits.
12. 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 10 2010

Mayor Sam Adams

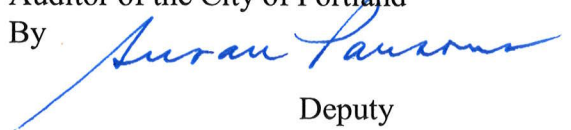
Prepared by: Bond Counsel:EJ:KB

Date Prepared: January 28, 2010

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

Agenda No. **183530**  
**ORDINANCE NO.**  
 Title

\* Authorize general obligation refunding bonds (Ordinance)

<p><b>INTRODUCED BY</b>                  Commissioner/Auditor:  <b>Mayor Sam Adams</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Office of Management &amp; Finance                  Bureau Head: Ken Rust</p> <p>Prepared by: Bond Counsel:EJ:KB                  Date Prepared: January 28, 2010</p> <p>Financial Impact Statement                  Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>                  Not Required <input type="checkbox"/></p> <p>Portland Policy Document                  If "Yes" requires City Policy paragraph stated in document.                  Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date  <b>February 10, 2010</b></p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <b>FEB 05 2010</b></p> <p style="text-align: right;">LaVonne Griffin-Valade                  Auditor of the City of Portland</p> <p>By: <i>[Signature]</i>                  Deputy</p> <p><b>ACTION TAKEN:</b></p>
---	---

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

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	✓	