

ORDINANCE No. 187082

* Authorize Airport Way urban renewal and redevelopment refunding bonds (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City issued its Airport Way Urban Renewal and Redevelopment Bonds, 2005 Series A (the “2005 Series A Bonds”) to finance or refinance projects described in the urban renewal plan for the Airport Way Urban Renewal Area. The 2005 Series A Bonds are currently outstanding in the amount of \$28,640,000.
2. Current interest rates are lower than the interest rates borne by the 2005 Series A Bonds and the City may be able to obtain debt service savings by refunding the 2005 Series A Bonds.
3. Additionally, it may be advantageous for the City to refund the 2005 Series A Bonds to obtain release from restrictive covenants in the 2005 Series A Bonds.
4. The City is authorized by Section 15-106 of the City Charter to issue bonds that are payable from the tax increment revenues of an urban renewal district if the Portland Development Commission requests the City to issue the bonds and authorizes the Commission to pledge those tax increment revenues with the concurrence of the City Council. The City is also authorized by ORS Chapter 287A to refinance its bonds.
5. The City adopts this ordinance to authorize the refunding of all or any portion of the City’s 2005 Series A Bonds to achieve debt service savings or a favorable restructuring of debt for the Airport Way Urban Renewal Area.

NOW, THEREFORE, the Council directs:

- a. Authorization of Refunding Bonds. The City hereby authorizes the sale and delivery of tax increment bonds (the “Refunding Bonds”) pursuant to Section 15-106 of the City Charter and ORS Chapter 287A to refund all or any portion of the City’s 2005 Series A Bonds to obtain debt service savings or release from restrictive covenants. The Refunding Bonds may be issued in an amount sufficient to pay and redeem the 2005 Series A Bonds being refunded and to pay costs related to the Refunding Bonds. The Refunding Bonds may not be issued until the Portland Development Commission has adopted a resolution requesting the City to issue the Refunding Bonds, and authorizing the City’s Debt Manager to pledge those revenues on behalf of the Commission.
- b. Security. The Refunding Bonds may be secured by all or any portion of the tax increment revenues, including the special levy, of the Airport Way Urban Renewal Area and any related amounts including proceeds, debt service reserves and earnings.
- c. Delegation. The Debt Manager of the City, the City Treasurer, the Director of the Bureau of Revenue and 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, lien status, 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 or supplemental 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 any credit enhancement providers, including covenants regarding the collection of tax increment revenues and the collection of special levies for the Airport Way Urban Renewal Area.
6. Appoint and enter into agreements with escrow agents, paying agents, verification agents and other professionals and service providers for the Refunding Bonds.
7. Call, refund and defease all or any portion of the 2005 Series A Bonds.
8. Apply for and purchase municipal bond insurance, reserve sureties or other forms of credit enhancements for any series of the Refunding Bonds.
9. 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 credit.
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.

Passed by the Council: APR 08 2015

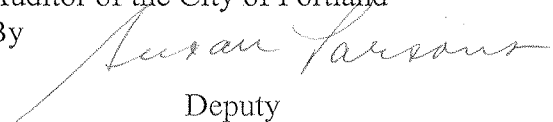
Mayor Charlie Hales

Prepared by: Bond Counsel: Jonas Biery

Date Prepared: March 20, 2015

Mary Hull Caballero
Auditor of the City of Portland

By



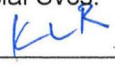

A handwritten signature in cursive script, appearing to read "Susan Parsons", written over a horizontal line.

Deputy





Agenda No.
ORDINANCE NO. 187082

Title

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<p>INTRODUCED BY Commissioner/Auditor: Mayor Charlie Hales</p>	<p>CLERK USE: DATE FILED <u>APR 03 2015</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales </p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Revenue & Financial Svcs. Bureau Head: Ken Rust </p>	
<p>Prepared by: Bond Counsel: Jonas Biery </p> <p>Date Prepared: March 20, 2015</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>City Auditor Office Approval: required for Code Ordinances</p>	<p>ACTION TAKEN:</p>
<p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date April 8, 2015</p>	

<p>AGENDA</p>
<p><u>TIME CERTAIN</u> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><u>CONSENT</u> <input checked="" type="checkbox"/></p>
<p><u>REGULAR</u> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (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. Novick	4. Novick		
Hales	Hales	