

ORDINANCE NO. 154220

An Ordinance Providing for the Issuance and Sale of Urban Renewal and Redevelopment Bonds, Series F, in the Amount of \$9,000,000 to be Dated April 1, 1983, Limiting the Obligation of the Bonds to Taxes Imposed and Collected Over and Above the Prescribed Base in the Downtown Waterfront Urban Renewal Project Area, as Amended, Prescribing the Form, Maturity Dates, Manner of Sale, and Limiting the Use of Proceeds of the Bonds, and Declaring an Emergency.

THE CITY OF PORTLAND ORDAINS:**Section 1. The Council Finds:**

1. Chapter XV of the City Charter enacted by the voters in the May election in 1958 created the Department of Development and Civic Promotion administered by the Portland Development Commission. The Portland Development Commission by such Charter provisions, and as directed by the Council, was designated as the urban renewal agency of the City of Portland, Oregon. The City Council has previously approved an urban renewal plan for an urban renewal project known as the Downtown Waterfront Urban Renewal Project, and has also approved amendments to the plan, all as authorized in Chapter 457 Oregon Revised Statutes, as amended. The approved plan provides that ad valorem taxes levied upon all taxable property situated in the project area should be divided as provided in ORS 457.420 through 457.460 inclusive. The Portland Development Commission has requested issuance of Urban Renewal and Redevelopment Bonds, Series F, (the "Series F Bonds") in a total sum not to exceed Nine Million Dollars (\$9,000,000) payable only from the tax increments available from the properties within the Downtown Waterfront Urban Renewal Area as permitted by the Charter of the City of Portland. The Series F Bonds are to be issued in order to pay the costs of carrying out the Project and to repay advances previously made in connection with the Project.

2. In Ordinance No. 141902, adopted by the Council on June 17, 1976, the City authorized the issuance of \$10,000,000 of Urban Renewal and Redevelopment Bonds, Series B (the "Series B Bonds"), to pay costs of carrying out the Downtown Waterfront Urban Renewal Project and to repay advances made in connection with the Project.

By Ordinance No. 145567, adopted by the Council on April 19, 1978, the City authorized the issuance of \$15,000,000 of Urban Renewal and Redevelopment Bonds, Series C (the "Series C Bonds"), to pay the costs of carrying out the Downtown Waterfront Urban Renewal Project and to repay advances made in connection with the Project.

By Ordinance No. 152340, adopted by the Council on October 7, 1981, the City authorized the issuance of \$9,800,000 of Urban Renewal and Redevelopment Bonds, Series D (the "Series D Bonds"), to pay the costs of carrying out the Downtown Waterfront Urban Renewal Project and to repay advances made in connection with the Project.

By Ordinance No. 153715, adopted by the Council on September 1, 1982, the City authorized the issuance of \$5,000,000 of Urban Renewal and Redevelopment Bonds, Series E (the "Series E Bonds"), to pay the costs of carrying out the Downtown Waterfront Urban Renewal Project and to repay advances made in connection with the Project.

In Ordinance No. 141902, in Ordinance No. 145567, in Ordinance No. 152340 and in Ordinance No. 153715 the City reserved the right to issue additional bonds for the purpose of paying the costs of carrying out the Project and of repaying advances made in connection with the Project.

3. Monies in the Downtown Waterfront Renewal Bond Sinking Fund are at least equal to the sum of the maximum debt service requirement on the Series B Bonds, the Series C Bonds, the Series D Bonds and the Series E Bonds, which are the only bonds previously issued and outstanding which are payable from that Sinking Fund, plus the remaining debt service requirement for the current fiscal year for the Series B Bonds, the Series C Bonds, the Series D Bonds, the Series E Bonds, and the Series F Bonds. The amount of the most recent incremental tax levy is at least equal to the maximum annual debt service requirement on the Series B Bonds, the Series C Bonds, the Series D Bonds, the Series E Bonds and the projected maximum annual debt service on the Series F Bonds for the current fiscal year.

NOW, THEREFORE, The Council directs:

A. Amount, Date and Denomination of the Bonds. The Council of the City of Portland, Oregon does hereby authorize the issuance of Urban Renewal and Redevelopment Bonds, Series F, in the name of the City of Portland, Oregon and under the corporate seal of the City in the amount of Nine Million Dollars (\$9,000,000) in denominations of Five Thousand Dollars (\$5,000) or multiples thereof. The Bonds shall be dated April 1, 1983 and shall be signed by the Mayor with facsimile signature, and countersigned by the Auditor. The City of Portland, Oregon shall be held and considered in substance and effect to undertake and does promise to pay to the bearer of each of the Bonds, upon maturity, but solely from the tax monies allocated pursuant to law for such purpose, the sum named therein in lawful money of the United States of America, together with interest thereon at the rate fixed as the result of competitive bidding and at such maximum rate as shall then be determined. The Bonds shall be

known as "Urban Renewal and Redevelopment Bonds, Series F" to be issued pursuant to the provisions of Section 15-106 of the Charter of the City of Portland, ORS 457.420 through 457.460 inclusive, and Article IX, Section 1(c) of the Constitution of the State of Oregon. The interest coupons attached to the bonds shall bear the facsimile signature of the Mayor and of the Auditor.

B. Additional Terms. The bonds shall mature serially on the first day of April in each year and in the amounts as set forth below:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
1984	\$165,000	1994	\$410,000
1985	180,000	1995	450,000
1986	200,000	1996	495,000
1987	220,000	1997	540,000
1988	240,000	1998	595,000
1989	260,000	1999	650,000
1990	285,000	2000	710,000
1991	315,000	2001	780,000
1992	345,000	2002	850,000
1993	375,000	2003	935,000

C. Redemption. The City reserves the right to call and redeem the Bonds on April 1, 1993 and on any interest payment date thereafter, in inverse order of maturity, and by lot within a maturity at the redemption prices (expressed as a percentage of the principal amount) set forth below, together with accrued interest:

<u>REDEMPTION PERIOD</u>	<u>REDEMPTION PRICE</u>
April 1 and October 1, 1993	102.50%
April 1 and October 1, 1994	102.00%
April 1 and October 1, 1995	101.50%
April 1 and October 1, 1996	101.00%
April 1 and October 1, 1997	100.50%
April 1, 1998 and thereafter	100.00%

D. Bond Form. The Urban Renewal and Redevelopment Bonds, Series F of the City of Portland, Oregon, shall be issued in substantially the following form:

No. _____ (\$ _____)

**STATE OF OREGON
MULTNOMAH, CLACKAMAS AND WASHINGTON COUNTIES
CITY OF PORTLAND, OREGON
URBAN RENEWAL AND REDEVELOPMENT BONDS, SERIES F**

The City of Portland, in the Counties of Multnomah, Clackamas and Washington, State of Oregon, for value received, acknowledges itself indebted, and hereby promises, in consideration of the premises, to pay to the bearer hereof, but solely from the allocated tax revenues as herein set forth, the sum of Five Thousand Dollars in lawful money of the United States of America on the 1st day of April 19____, without grace, with interest thereon at the rate of _____% per annum, payable semiannually on the 1st day of April and the 1st day of October of each year, commencing October 1, 1983, in lawful money of the United States of America, payable at the office of the City Treasurer of the City of Portland, Oregon, upon the presentation and surrender of this bond or of the annexed coupons as they severally become due.

This Bond is one of a series of bonds designated as Urban Renewal and Redevelopment Bonds, Series F, of the City of Portland, Oregon, dated April 1, 1983, and numbered ____ to ____, both numbers inclusive, maturing serially on the first day of April in each of the years 1984 to 2003, inclusive, in the aggregate principal amount of \$9,000,000.

This Bond, and all of the bonds of this series, shall not be general obligations of the City of Portland, Oregon. The bonds, and the interest thereon, shall be paid to the extent permitted by law solely from tax revenues attributable to property located or to be located within the Downtown Waterfront Urban Renewal Project Area, as amended, which tax revenues exceed a specified level within such Area, to the full extent permitted by law, pursuant to the authorization and authority of Article IX, Section 1(c) of the Constitution of the State of Oregon, and Oregon Revised Statutes, Sections 457.420 through 457.460, inclusive, as amended. The Bonds are issued on a parity with the City of Portland Urban Renewal and Redevelopment Bonds, Series B, dated August 1, 1976, the Urban Renewal and Redevelopment Bonds, Series C, dated June 1, 1978, the Urban Renewal and Redevelopment Bonds, Series D, dated November 1, 1981 and the Urban Renewal and Redevelopment Bonds, Series E, dated October 1, 1982. The bonds are authorized by and issued pursuant to Section 15-106 of the Charter of the City of Portland and Ordinance No. _____, adopted by the City Council on the ____ day of _____, 1983.

This Bond, unless sooner maturing, is subject to call and redemption on April 1, 1993, and on any interest payment date thereafter, in inverse order of maturity, and by lot within a maturity at the redemption prices (expressed as a percentage of the principal amount) set forth below, together with accrued interest:

<u>REDEMPTION PERIOD</u>	<u>REDEMPTION PRICE</u>
April 1 and October 1, 1993	102.50%
April 1 and October 1, 1994	102.00%
April 1 and October 1, 1995	101.50%
April 1 and October 1, 1996	101.00%
April 1 and October 1, 1997	100.50%
April 1, 1998 and thereafter	100.00%

Bonds may be redeemed at the office of the Treasurer of the City of Portland, Oregon on payment of the face value thereof, together with premium, if any, plus accrued interest to the redemption date. Notice of redemption of any of the bonds shall be mailed to Moody's Investors Service, Inc. and Standard & Poor's Corporation, New York City, New York and shall be published as provided by law and in two issues of the official newspaper of the City of Portland, not less than 30 days prior to the date fixed for redemption.

This Bond, and all the bonds of this series, are issued by the City of Portland, Oregon, for the purpose of providing a fund for carrying into effect the provisions of Chapter XV of the Charter of the City of Portland, as amended, relating to urban renewal and redevelopment and the issuance of these bonds is by virtue of and in full and strict accordance and compliance with all of the provisions of the constitution and the statutes of the State of Oregon and of Chapter XV Section 15-106 of the Charter of the City of Portland.

It is hereby certified and recited that all acts and things required to be done and performed precedent to the issuance of these bonds have been properly done and performed in regular and due time, form and manner, as required by law, and that such bonds do not exceed any limitation imposed by law. For the punctual payment at maturity of the principal of, premium, if any, and interest on this Bond, the City of Portland hereby irrevocably pledges, on a parity with the Series B Bonds, the Series C Bonds, the Series D Bonds and the Series E Bonds, all the tax allocation moneys derived from the Downtown Waterfront Urban Renewal Project Area, as amended. The City of Portland may issue additional bonds with the principal of, premium, if any, and the interest payable on a parity with the Series B Bonds, the Series C Bonds, the Series D Bonds, the Series E Bonds and the Series F Bonds, from the tax allocation monies derived from the

Urban Renewal Project Area, as amended, provided the conditions specified in the Ordinance authorizing this Bond are first met.

IN TESTIMONY WHEREOF the Council of the City of Portland, Oregon, by ordinance duly passed, has caused this Bond to be signed by the Mayor by facsimile signature and countersigned by the Auditor of the City of Portland, Oregon, and has caused the City corporate seal to be hereto affixed or imprinted, all as of the 1st day of April, 1983.

Mayor of the City of Portland, Oregon

Countersigned:

Auditor of the City of Portland, Oregon

E. Coupon Form. The following be and hereby is approved and declared to be the form of the coupons attached to the Urban Renewal and Redevelopment Bonds, Series F, of the City of Portland:

INTEREST COUPON

No. _____

On the 1st day of _____, 19____, the City of Portland, Oregon will pay to the bearer, but solely from tax allocation moneys derived from its Downtown Waterfront Urban Renewal Project Area, the sum of _____ Dollars in lawful money of the United States of America, at the office of the City Treasurer of the City of Portland, Oregon, being interest then due on its Urban Renewal and Redevelopment Bonds, Series F, No. _____, unless such bond is sooner redeemed as therein provided.

Mayor of the City of Portland, Oregon

Auditor of the City of Portland, Oregon

F. Pursuant to Ordinance No. 141902, the City of Portland, Oregon has established a special Sinking Fund known as

"Downtown Waterfront Renewal Bond Sinking Fund" for the payment of the principal, interest and premium, if any, due on the Series B Bonds and any additional bonds subsequently issued to finance further redevelopment in the Downtown Waterfront Urban Renewal Project. Commencing with the tax levies for the tax year 1976-77, all funds collected by the Department of Administrative Services of Multnomah County, Oregon from taxes levied within the area in which the Downtown Waterfront Urban Renewal Project, as amended, is located which are designated for tax allocations pursuant to Article IX Section 1(c) of the Constitution of the State of Oregon, and Oregon Revised Statutes, Chapter 457, as amended, have been and shall continue to be placed in the Downtown Waterfront Renewal Bond Sinking Fund. The tax allocation by the assessing officer of Multnomah County, Oregon pursuant to the constitutional and statutory authority refers to all tax levies, commencing with the tax year 1976-77, of current taxes from year to year on real and personal property subject to taxation located within the Downtown Waterfront Urban Renewal Area, as amended, by all local tax levying bodies, which increases are attributable to increases of the true cash value of such property over the value of such property in the base year. The money in the Downtown Waterfront Renewal Bond Sinking Fund shall be used for the payment when due, pursuant to the terms of the bonds, of the principal of, the interest and premium, if any, on the Series B Bonds, the Series C Bonds, the Series D Bonds, the Series E Bonds and the Series F Bonds, and any additional parity bonds which may be authorized by subsequent ordinances issued to pay costs of carrying out the Project, as amended, and as it may be amended in the future, and to repay advances made in connection with the Project. Moneys in the Downtown Waterfront Renewal Bond Sinking Fund also may be used for redemption of bonds prior to maturity by call, including the payment of redemption premiums, if any, or by purchase in the open market at a price not more than the price at which the bonds may be called for redemption at their next call date; provided, (1) that the minimum amount to be remaining in the Downtown Waterfront Renewal Bond Sinking Fund after the redemption of any outstanding bonds prior to their maturity shall be at least equal to the sum of (a) the maximum remaining annual debt service on all bonds payable from the Downtown Waterfront Renewal Bond Sinking Fund for any subsequent fiscal year plus (b) an additional amount which will be sufficient to pay the remaining debt service requirements, if any, payable from the Downtown Waterfront Renewal Bond Sinking Fund during the remainder of the fiscal year in which the bonds are called or purchased, and (2) that the amount of the most recent incremental tax levy is at least equal to the maximum annual debt service requirement on all bonds payable from the Downtown Waterfront Renewal Bond Sinking Fund. Funds in the Downtown Waterfront Renewal Bond Sinking Fund may be invested by the City in direct United States Government obligations maturing not later than the last maturity date of any outstanding bonds payable from the Downtown Waterfront Renewal Bond Sinking Fund.

G. The City may issue additional bonds wherein the principal, interest and premium, if any, shall be payable on a parity with the Series B Bonds, the Series C Bonds, the Series D Bonds, the Series E Bonds and the Series F Bonds from the Downtown Waterfront Renewal Bond Sinking Fund, the bond proceeds to be used for the purposes of paying costs of carrying out the Project, as amended and as it may be amended in the future, and to repay advances made in connection with the Project; provided, that as of the date of delivery of the additional bonds (1) the amount in the Downtown Waterfront Renewal Bond Sinking Fund is at least equal to the sum of (a) the maximum annual debt service requirement on all previously issued and outstanding bonds payable from the Downtown Waterfront Renewal Bond Sinking Fund for any fiscal year of the City succeeding the year of issue of additional bonds plus (b) an amount in the Downtown Waterfront Renewal Sinking Fund, in addition to the above minimum requirement, at least equal to the debt service requirement on all bonds payable from the Downtown Waterfront Renewal Bond Sinking Fund, including the additional bonds to be issued, during the remainder of the fiscal year in which the additional bonds are issued, and (2) the amount of the most recent incremental tax levy is at least equal to the maximum annual debt service requirement on all bonds payable from the Downtown Waterfront Renewal Bond Sinking Fund, including the additional bonds to be issued.

H. The Auditor of the City of Portland, Oregon is directed to advertise for proposals for the purchase of the Bonds. The advertisement for the purchase of the bonds shall be made in the official newspaper of the City of Portland, namely, the Daily Journal of Commerce. In addition, the advertisement shall be published in a financial newspaper published in New York City, New York not less than 20 calendar days prior to the sale. The City Auditor and the Director of Fiscal Administration are directed to prepare and publish an appropriate Notice of Sale. The Bonds will be sold subject to the prior approving opinion of Ragen, Roberts, O'Scannlain, Robertson & Neill, attorneys of Portland, Oregon. The Council, at its discretion, may reject any and all bids and proceed to readvertise and receive bids until a satisfactory bid is received.

I. Proceeds from the issuance and sale of the bonds authorized by this ordinance, including accrued interest, if any, shall be deposited in the Waterfront Renewal Bond Redevelopment Fund and shall be used for payment of expenses of the issuance of the bonds and matters related thereto, including legal fees, consultant fees and advertising costs; payment into the Waterfront Renewal Bond Sinking Fund from time to time of amounts determined to be necessary, convenient or appropriate for payment of the principal of, the interest, and premium, if any, on the bonds outstanding; upon order of the Portland Development Commission, any expenses occurring from the Downtown Waterfront Urban Renewal Project, and the repayment to any fund of the

ORDINANCE No.

154220

Portland Development Commission of any expenditures previously made from moneys under the control of the Commission for or in connection with the Downtown Waterfront Urban Renewal Project as amended; and upon order of the Portland Development Commission, repayment to the City of Portland general fund or special funds of the City other than funds under the control of the Portland Development Commission in connection with the Downtown Waterfront Urban Renewal Project, as amended; and the payment due to the other persons or into other funds for sums expended as part of the Downtown Waterfront Renewal Project in carrying out the Project, or in fulfilling the obligations of the Commission under any contract relating to the Project. The City shall establish such special fund or funds for such proceeds as may be found necessary or appropriate, or as requested by the Portland Development Commission. Prior to the time of expected use of such Bond proceeds, the Treasurer of the City of Portland may invest the money received from the Bond proceeds so as to accumulate earnings thereon and such earnings shall be added to the Waterfront Renewal Bond Development Fund. Such investments shall be in accordance with the statutory requirements for investment of public funds and shall be as ordered by the Commission from time to time.

J. The Council covenants that the proceeds of the Bonds or the tax revenues received for the payment of principal and interest will not be invested in any manner which would cause such proceeds to be arbitrage bonds within the meaning of Section 103(c) of the United States Internal Revenue Code 1954, as amended, and applicable regulations thereunder.

Section 2. The Council declares that an emergency exists so that necessary procedures may be carried through in an orderly manner prior to issuance of the Bonds herein authorized so that sufficient time may be afforded for the legal opinion, advertisements, receipts of bids, evaluation thereof and award and so as to obtain the proceeds therefrom to carry out the Downtown Waterfront Urban Renewal Project and repay obligations due and heretofore incurred for the Project; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, FEB 2 1983

Mayor Frank Ivancie
SML:bw 1-27-83

Attest:

JEWEL LANSING
Auditor of the City of Portland

By *Edna Curcio*
DEPUTY

Calendar No. 291

ORDINANCE No. 154220

Title

An Ordinance Providing for the Issuance and Sale of Urban Renewal and Redevelopment Bonds, Series F, in the Amount of \$9,000,000 to be Dated April 1, 1983, Limiting the Obligation of the Bonds to Taxes Imposed and Collected Over and Above the Prescribed Base in the Downtown Waterfront Urban Renewal Project Area, as Amended, Prescribing the Form, Maturity Dates, Manner of Sale, and Limiting the Use of Proceeds of the Bonds, and Declaring an Emergency.

THE COMMISSIONERS VOTED
AS FOLLOWS:

	Yeas	Nays
JORDAN	1	
LINDBERG	1	
SCHWAB	1	
STRACHAN		
IVANCIE	1	

FOUR-FIFTHS CALENDAR

JORDAN
LINDBERG
SCHWAB
STRACHAN
IVANCIE

Filed JAN 28 1983

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By *Anton Orell* Deputy

INTRODUCED BY	
Mayor Frank Ivancie	
NOTED BY THE COMMISSIONER	
Affairs	<i>F. J. Ivancie</i>
Finance and Administration	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Portland Development Commission	
Prepared By: Sandra Laubenthal	Date: 1-27-83
Budget Impact Review:	
<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Not required
Bureau Head: <i>John L. Crose</i>	
CALENDAR	
Consent <input checked="" type="checkbox"/>	Regular
NOTED BY	
City Attorney	
City Auditor	
City Engineer	