



COUNCIL RESOLUTION NO. 5042

**A RESOLUTION AUTHORIZING THE SALE OF
GENERAL OBLIGATION REFUNDING BONDS.**

PASSED: 8:0

REJECTED:

OPPOSED:

ABSENT:

CONSIDERED: September 26, 2011

RESOLUTION NO. 5042

A RESOLUTION AUTHORIZING THE SALE OF GENERAL OBLIGATION REFUNDING BONDS.

The City Council of the City of Eugene, Oregon, finds as follows:

A. The City of Eugene (the “City”) has issued the following series of general obligation bonds (the “Refundable Bonds”): its General Obligation Fire Projects Bond, Series 2002; its General Obligation Parks & Open Spaces Bond, Series 2004; and its Parks, Athletic Fields & Open Space General Obligation Bond, Series 2008.

B. Interest rates have declined since the Refundable Bonds were issued.

C. The Refundable Bonds are paid from property taxes, and the City may be able to reduce its debt service costs and property tax levies for the Refundable Bonds by issuing general obligation refunding bonds to refund the Refundable Bonds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Eugene, a municipal corporation of the State of Oregon, as follows:

Section 1. Bonds authorized. The City hereby authorizes the issuance of general obligation refunding bonds (the “Bonds”) to refund the Refundable Bonds and achieve debt service savings. The Bonds may be issued in an amount that is sufficient to refund all or any portion of the refundable bonds and to pay costs related to issuing the Bonds and refunding the Refundable Bonds.

Section 2. Delegation. The City Manager or the person designated by the City Manager to act on behalf of the City pursuant to this Resolution (the “City Official”) may, on behalf of the City and without further action by the Council:

- (a) Select the Refundable Bonds to be refunded.
- (b) Issue the Bonds in one or more series, and combine any series of Bonds with other series of general obligation bonds that the council has previously authorized.
- (c) Participate in the preparation of, authorize the distribution of, and deem final any official statement or other disclosure documents relating to each series of the Bonds.
- (d) Establish the form, final principal amounts, maturity schedules, interest rates, sale prices and discount, prepayment terms, payment terms and dates, and other terms of each series of Bonds.


- (e) Execute and deliver a bond declaration for each series of Bonds. The bond declaration for each series shall specify the terms under which the series is issued, and may contain covenants for the benefit of Bondowners and any providers of credit enhancement for the Bonds.
- (f) 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, commercial banks or other investors and negotiate the sale of any series with those underwriters, commercial banks or investors.
- (g) Undertake to provide continuing disclosure for each series of Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission.
- (h) Apply for ratings for each series of Bonds, determine whether to purchase municipal bond insurance or obtain other forms of credit enhancements for each series of Bonds, enter into agreements with the providers of credit enhancement, and execute and deliver related documents.
- (i) Appoint paying agents for the Bonds and negotiate the terms of and execute an agreement with such paying agent.
- (j) Determine whether each series of Bonds will bear interest that is excludable from gross income under the Internal Revenue Code of 1986, as amended, or is includable in gross income under that code. If a series bears interest that is excludable from gross income under that code, the City Official may enter into covenants to maintain the excludability of interest on that series of the Bonds from gross income.
- (k) Execute and deliver each series of Bonds to their purchaser.
- (l) Call for redemption, pay, defease and redeem the Refundable Bonds and enter into related agreements.
- (m) Execute and deliver any agreements or certificates and take any other action in connection with each series of Bonds which the City Official finds is desirable to permit the sale and issuance of that series of Bonds in accordance with this Resolution.

Section 3. Security for Bonds. The Bonds shall be general obligations of the City. The City hereby pledges its full faith and credit to pay the Bonds, and the City covenants for the benefit of the Bondowners that the City shall levy annually, as provided by law, in addition to its other ad valorem property taxes and outside the limitations of Sections 11 and 11b of Article IX of the Oregon Constitution, a direct ad valorem tax upon all of the taxable property within the City in sufficient amount, after considering discounts taken and delinquencies that may occur in the payment of such taxes, to pay the Bonds promptly as they mature.

Section 4. Duration. The authority granted by this resolution shall remain in effect as long as necessary to permit the sale, delivery, administration and payment of all Bonds authorized by this resolution.

Section 5. Effective Date. This Resolution is effective immediately upon its passage by the City Council.

The foregoing Resolution adopted the 26th day of September, 2011.



Deputy City Recorder