

ORDINANCE NO. 250

AN ORDINANCE AUTHORIZING ISSUANCE OF
GENERAL OBLIGATION IMPROVEMENT BONDS AND
DECLARING AN EMERGENCY

MULTNOMAH COUNTY ORDAINS AS FOLLOWS:

Section 1. Authorization. Multnomah County, State of Oregon, does hereby authorize the issuance and sale of General Obligation Improvement Bancroft Bonds of Multnomah County, State of Oregon, in the amount of One Million Nine Hundred Sixty Thousand Eight Hundred Seventy-five Dollars (\$1,960,875), to be dated November 1, 1980, to be numbered consecutively from 1 to 393, inclusive, to be in denominations of \$5,000 each, except bond number one in the amount of \$875, to bear interest payable semi-annually on May 1 and November 1 of each year and to mature serially in numerical order on the first day of November in each year as follows:

| <u>AMOUNT</u> | <u>MATURITY</u> |
|---------------|-----------------|
| \$130,875 | 1981 |
| 140,000 | 1982 |
| 155,000 | 1983 |
| 170,000 | 1984 |
| 180,000 | 1985 |
| 200,000 | 1986 |
| 215,000 | 1987 |
| 235,000 | 1988 |
| 255,000 | 1989 |
| 280,000 | 1990 |

with the right reserved to the County, however, at its option, to redeem in inverse order of maturity and by lot within the same maturity, at par and accrued interest on November 1, 1987, and on any interest payment day thereafter, any or all of the bonds of such issue maturing after November 1, 1987.

Section 2. Signatures and Registration. Each of the bonds shall be signed with the facsimile signature of the County Executive in office on the date of execution of such bonds; each of the bonds shall be attested by the Clerk of the Board of County Commissioners in office on such date; the coupons appertaining to the bonds shall be executed with the facsimile signatures of such County Executive and Clerk of the Board of County Commissioners; and each of the bonds shall be registered in

the Improvement Bond Register by the Treasury Section of Multnomah County, State of Oregon.

Section 3. Security. The County has assessed the cost of public improvements to benefited properties and all monies collected therefrom shall be placed in the Bancroft Bond Redemption Fund and applied to the payment of principal and interest on these bonds. The full faith and credit of the County are also pledged to the successive holders of each of the bonds and of the interest coupons appertaining thereto, for the punctual payment of such obligations, when due; and the County shall levy annually, if required, a direct ad valorem tax upon all of the taxable property within the County in sufficient amount, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes, to pay the bond and bond interest obligations promptly as they respectively mature; and the County covenants with the holders of its bonds, to levy such a tax annually as required during each year that any of the bonds, or of bonds issued to refund them, and bond interest obligations, are outstanding.

Section 4. Maintenance of Tax-Exempt Status. The County shall take no action nor make any use of the proceeds of the bonds, installment payments of assessments or ad valorem tax revenues intended to be used to pay principal and interest on the bonds, which will cause the bonds to lose their tax-exempt status under federal or State of Oregon income tax laws, regulations and judicial or administrative interpretations.

Section 5. Form. The bonds and the coupons attached thereto shall be in substantially the following form, the terms of which are hereby adopted:

UNITED STATES OF AMERICA
STATE OF OREGON
MULTNOMAH COUNTY
GENERAL OBLIGATION IMPROVEMENT BANCROFT BOND

No. _____

\$5,000

Multnomah County, State of Oregon, acknowledges itself indebted and for value received hereby promises to pay to bearer on the 1st day of November, 19____, the sum of

FIVE THOUSAND DOLLARS

with interest thereon from the date hereto at the rate of _____ percent (____%) per annum, on the first day of May and the first day of November in each year until maturity, upon surrender

of the annexed interest coupons as they severally mature. The principal of and the interest upon this bond are payable in lawful money of the United States of America, at the office of the Multnomah County Treasury in the City of Portland, Oregon.

The Bonds of the issue of which this bond forms a part, maturing after November 1, 1987, may be redeemed by the County, at par value and accrued interest to the date of redemption on November 1, 1987, and on any interest payment day thereafter, in inverse order of maturity and by lot within the same maturity, upon notice given at least thirty (30) days prior to the redemption date specified therein, by publication thereof in one issue of a newspaper specializing in financial matters published in the City of Portland, Oregon, and having general circulation within Multnomah County. From the date of redemption designated in any such notice, interest upon the bonds so called for payment shall cease.

This Bond is one of a series aggregating One Million Nine Hundred Sixty Thousand Eight Hundred Seventy-Five Dollars (\$1,960,875) par value, issued to provide funds to construct public improvements as authorized by Oregon Revised Statutes 371.605 to 371.660 and 223.205 to 223.295, inclusive, commonly known as the Bancroft Bonding Act and are general obligations of the County.

IT IS HEREBY CERTIFIED, RECITED, AND DECLARED that all conditions, acts, and things required to exist, to happen, and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form, and manner as required by the constitution and statutes of the State of Oregon; that the issue of which this bond is a part, and all other obligations of the County, are within every debt limitation and other limits prescribed by such constitution and statutes; and that the County has provided for the levying annually of a direct ad valorem tax as required upon all the property within the County so taxable for its purposes, in sufficient amount to pay the interest on and the principal of the bonds of such issue, as such obligations respectively become due and payable.

IN WITNESS WHEREOF, the County of Multnomah has caused this bond to be signed with the facsimile signature of the County Executive and attested by the Clerk of the Board of County Commissioners, the annexed interest coupons to be executed with the

facsimile signatures of such officers, and a facsimile of the seal of the County to be printed hereon this 1st day of November, 1980.

County Executive,
Multnomah County, Oregon

ATTEST:

Clerk,
Board of County Commissioners

REGISTERED:

Treasury Section

FORM OF BOND COUPON

No. _____

On the first day of May/November, 19____, Multnomah County, State of Oregon, upon surrender of this coupon at the office of the Multnomah County Treasury in the City of Portland, Oregon, will pay to bearer the sum of _____ Dollars (\$_____), in lawful money of the United States of America, for interest then due on its General Obligation Improvement Bancroft Bond, dated November 1, 1980, and bearing No. _____.

County Executive,
Multnomah County, Oregon

ATTEST:

Clerk,
Board of County Commissioners

For coupons maturing after initial call date, ADD:

, unless sooner redeemed as therein provided,

Section 6. Sale. The Clerk of the Board of County Commissioners shall cause to be published in the Daily Journal of Commerce, a newspaper of general circulation printed and published in Multnomah County, and a business and financial newspaper published in Portland, Oregon, notice of the proposed sale of the bonds, as provided by law, in the form substantially as shown on Exhibit A attached hereto and by this reference incorporated herein, specifying that sealed bids will be received by the County up to and including the hour of 10:00 o'clock a.m. on the 28th day of October, 1980, and that immediately thereafter bids received will be publicly opened by the Board of County Commissioners for the sale of the bonds, at not less than the par value thereof and the accrued interest thereof, at an interest rate or rates in multiples of one-eighth of one percent or one-twentieth of one percent, not exceeding a net effective rate of ten percent (10%) per annum, with the maximum coupon rate or rates not to exceed twelve percent (12%), payable semiannually on May 1 and November 1; that the bids shall be accompanied by a cashier's check or certified check, of or upon a bank doing business in the State of Oregon, in the sum of \$39,218, to be forfeited to the County in case the bidder fails to complete his purchase in accordance with the terms of his bid; that bids must be unconditional except as to qualification of approval of validity of the bond issue by bond attorneys; that bids must show the total cost of the bond issue to the County, including interest, less premium offered, if any, provided the bid be accepted and no callable bonds of the issue are redeemed prior to the maturity dates thereof; that the bonds will be sold to the bidder whose bid will result in the lowest net interest cost to the County; and that the Board reserves the right to reject any or all bids. Delivery of the bonds will be made on or before November 3, 1980. The delivery may be made at the option of the County, by the means of a temporary bond and, in such event, definitive bonds shall be supplied to the successful bidder within fifteen (15) days next subsequent to the date of delivery of the temporary bond.

Section 7. Emergency. This ordinance being necessary for the immediate preservation of the public peace, health and safety of Multnomah County, in order to obtain sufficient funds to pay for public improvements, an emergency is hereby declared to exist and this ordinance shall be in full force and effect

immediately upon its passage by the Board of County Commissioners and authentication by the County Executive.

Passed by the unanimous vote of the Board, with a quorum in attendance, this 7th day of October, 1980.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

(SEAL)

By *Dennis Buchanan*
Presiding Officer

Authenticated this 7th day of October, 1980 by

Wm. J. Clark
County Executive

OFFICIAL NOTICE OF BOND SALE

\$1,960,875

MULTNOMAH COUNTY
STATE OF OREGON
GENERAL OBLIGATION IMPROVEMENT BANCROFT BONDS

Notice is hereby given that sealed bids will be received by the County of Multnomah, State of Oregon, until 10:00 o'clock a.m. (Prevailing Pacific Time) on October 28, 1980, at the Commissioners Board Room, Room 606, Multnomah County Courthouse, in Portland, Oregon, at which time they will be publicly opened and announced.

The bids shall be considered and acted upon by the Board of County Commissioners at its meeting to be held on October 28, 1980, commencing at 11:00 o'clock a.m. (Prevailing Pacific Time).

ISSUE: ONE MILLION NINE HUNDRED SIXTY THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$1,960,875) consisting of 393 coupon bonds in denominations of FIVE THOUSAND DOLLARS (\$5,000), except Bond No. One in the amount of \$875, all dated November 1, 1980.

INTEREST RATE: Maximum not to exceed a net effective rate of ten percent (10%) per annum, the first interest payment due on May 1, 1981 and semiannually thereafter on May 1 and November 1 of each year. Bidders must specify the interest rate or rates which the bonds hereby offered for sale shall bear. The bids shall comply with the following conditions: (1) Each interest rate specified in any bid must be in multiples of 1/8th or 1/20th of one percent (1%), no coupon rate shall exceed twelve percent (12%); (2) no bond shall bear more than one rate of interest, no interest payment shall be evidenced by more than one coupon, and supplemental coupons will not be permitted; (3) each bond shall bear interest from its date to its stated maturity date at the interest rate specified in the bids; (4) all bonds maturing at any one time shall bear the same rate of interest.

MATURITIES: The bonds shall mature serially in numerical order on the first day of November in each of the years as follows:

| <u>AMOUNT</u> | <u>MATURITY</u> |
|---------------|-----------------|
| \$130,875 | 1981 |
| 140,000 | 1982 |
| 155,000 | 1983 |
| 170,000 | 1984 |
| 180,000 | 1985 |
| 200,000 | 1986 |
| 215,000 | 1987 |
| 235,000 | 1988 |
| 255,000 | 1989 |
| 280,000 | 1990 |

REGISTRATION: The bonds will be issued in bearer form with no option for registration.

REDEMPTION: The County reserves the right to redeem any or all of the bonds maturing after November 1, 1987 in inverse order of maturity and by lot within the same maturity on November 1, 1987 and on any interest payment date thereafter at par plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by publication of such notice at least once, not less than thirty (30) days prior to said redemption date, in a newspaper specializing in financial matters published in the City of Portland, Oregon, and published and of general circulation in Multnomah County, State of Oregon. Interest on any bond or bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation and made pursuant to such call.

PAYMENT: Principal and interest are payable, either at maturity or upon earlier redemption, in lawful money of the United States at the office of the Multnomah County Treasury, in Portland, Oregon.

PURPOSE: The bonds are issued to provide funds for public improvements within Multnomah County.

SECURITY: The County has assessed the cost of public improvements to benefited properties and all monies collected therefrom shall be placed in the Bancroft Bond Redemption Fund and applied to the payment of principal and interest on these bonds. The bonds are also general obligations of the County. The County has covenanted to levy an ad valorem tax annually as required to pay bond principal and interest as they respectively come due.

LEGAL OPINION: The approving opinion of Ragen, Roberts,