

# BEFORE THE BOARD OF COUNTY COMMISSIONERS

## MULTNOMAH COUNTY, OREGON

In the Matter of the Issuance and Sale )  
of Short-Term Promissory Notes (Tax and )  
Revenue Anticipation Notes, Series 1994) )  
in the Amount of \$11,000,000 for the )  
Purpose of Meeting Current Expenses of )  
the County for the 1994-95 Fiscal Year. )

**RESOLUTION NO. 94- 82**

WHEREAS, the above-entitled matter is before the Board of County Commissioners of Multnomah County, Oregon (the "County"), upon a showing by the Director, Finance Division, that, prior to the receipt of sufficient moneys from tax collections and other budgeted and unpledged revenues which the County estimates will be received from other sources during the fiscal year 1994-95, there is a need for the County to borrow money and issue Short-Term Promissory Notes (Tax and Revenue Anticipation Notes, Series 1994) for the payment of fiscal year 1994-95 current expenses.

WHEREAS, it appearing to the Board, based upon the anticipated needs of the County for funds to meet such current expenses where provision therefor has been made in its duly adopted budget for the fiscal year 1994-95 that, until there is receipt of sufficient moneys from tax collections and other budgeted and unpledged revenues which the County estimates will be received from other sources during that fiscal year, the County must contract indebtedness by the issuance of Short-Term Promissory Notes (Tax and Revenue Anticipation Notes, Series 1994) (the "1994 Notes") in an amount not exceeding \$11,000,000; that provision for the 1994 Notes has been made, or shall be made, in the duly adopted budget of Multnomah County, Oregon for the fiscal year 1994-95; and that prior to the issuance of the 1994 Notes, the ad valorem tax levies upon real and personal property for the fiscal year 1994-95 shall be certified to the County Assessor for levy by Multnomah County, Oregon for such tax year; and

WHEREAS, it further appearing to the Board that the 1994 Notes be issued by the County pursuant to Oregon Revised Statutes Section 288.165; and the Board being fully advised,

THEREFORE, BE IT RESOLVED that Multnomah County, Oregon shall issue the 1994 Notes in an amount not exceeding \$11,000,000 to such purchasers as may be approved by the Chair of the Board of County Commissioners. The Board of County Commissioners delegates to the Director, Finance Division, or the Treasury Manager, the authority to determine the 1994 Notes principal amount, interest rate, denominations and to determine the Underwriter for the purchase of the 1994 Notes and the Expert Advisor to evaluate the terms of the Note Purchase Agreement, and to execute an appropriate Note Purchase Agreement. The 1994 Notes shall not be issued prior to the beginning of, and shall mature not later than, the end of the fiscal year in which such taxes or other revenues are expected to be received. The 1994 Notes issued in anticipation of taxes or other revenues shall

not be issued in an amount greater than 80 percent of the amount budgeted to be received in the fiscal year in which the obligations are issued.

BE IT FURTHER RESOLVED that Multnomah County, Oregon covenants for the benefit of the owners of the 1994 Notes to comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code") which are required for the 1994 Notes interest to be excluded from gross income for federal income tax purposes, unless the County obtains an opinion of nationally recognized bond counsel that such compliance is not required for the interest payable on the 1994 Notes to be excluded. The County makes the following specific covenants with respect to the Code:

- A. The County shall not take any action or omit any action, if it would cause the 1994 Notes to become "arbitrage bonds" under Section 148 of the Code and shall pay any rebates to the United States which are required by Section 148(f) of the Code.
- B. The County shall not use the proceeds of the 1994 Notes in a manner which would cause the 1994 Notes to be "private activity bonds" within the meaning of Section 141 of the Code.

The covenants contained herein and any covenants in the closing documents for the 1994 Notes shall constitute contracts with the owners of the 1994 Notes, and shall be enforceable by such owners.

BE IT FURTHER RESOLVED that, without further authorization by the Board of County Commissioners, the Director, Finance Division or the Treasury Manager may authorize the payment of interest on the 1994 Notes;

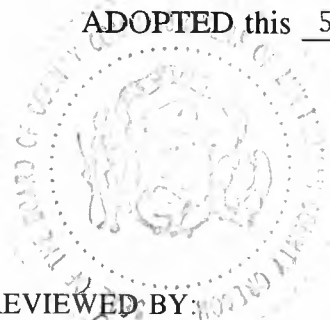
BE IT FURTHER RESOLVED that the 1994 Notes shall not exceed a maximum effective rate of interest of seven percent (7.0%) per annum; may be sold at private negotiated sale and at a discount of not less than 98% of par value of the 1994 Notes; may be issued as book-entry-only notes without printed certificates; shall mature June 30, 1995; and shall not be subject to redemption prior to maturity. The 1994 Notes may bear the seal of Multnomah County, Oregon and shall be executed by the manual or facsimile signature of the Chair and shall be attested by the manual or facsimile signature of the Director, Finance Division or Treasury Manager.

ADOPTED this 5th day of May, 1994.

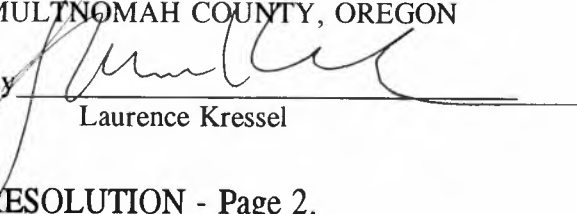
**BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON**

By

  
Beverly Stein, Chair

  
REVIEWED BY:  
COUNTY COUNSEL  
MULTNOMAH COUNTY, OREGON

By

  
Laurence Kressel