

**ORDINANCE NO. 632**  
**CITY OF DAYTON, OREGON**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A REVENUE BOND TO  
CONSTRUCT, REPAIR AND EXPAND THE CITY'S WASTEWATER FACILITIES  
AND EVIDENCING ITS OFFICIAL INTENT TO REIMBURSE CAPITAL  
EXPENDITURES**

**WHEREAS**, the City of Dayton, Yamhill County, Oregon (the "City") desires to undertake improvements to the City's wastewater system including, but not limited to: replacement of the main sewer pump station at the footbridge, replacement of sewer mainlines, and replacement of the Highway 221 sewer lift station (collectively, the "Improvements"); and

**WHEREAS**, the City is authorized to issue revenue bonds for any public purpose under Oregon Revised Statutes 287A.150 (the "Act") and the City finds it desirable to obtain authority to issue a revenue bond (the "Revenue Bond") in an amount not to exceed \$2,500,000 to finance the construction of the Improvements, funding of a reserve account, if any, and payment of the costs of issuance of the Revenue Bond and to pledge to the repayment of the Revenue Bond the net revenues of the City's wastewater system; and

**WHEREAS**, the Act permits the City to authorize revenue bonds by enacting a non-emergency ordinance. Revenue bonds issued under the Act and by non-emergency ordinance may be secured by the revenues or other property of the public body that is described in the nonemergency ordinance; and

**WHEREAS**, the City may not sell those revenue bonds until the period for referral of the ordinance has expired. If the nonemergency ordinance is referred to a vote during that referral period, the City may not sell those revenue bonds described in the ordinance unless the voters approve issuance of the revenue bonds; and

**WHEREAS**, the City finds that it is in its best interest to finance the costs of constructing, repairing and expanding the City's wastewater facilities with revenue bonds issued under the Act; and

**WHEREAS**, United States Treasury Regulation Section 1.150-2 sets forth certain requirements that must be complied with in order for the reimbursement with proceeds of a bond to qualify as an expenditure of bond proceeds.

**THE CITY OF DAYTON ORDAINS AS FOLLOWS:**

**Section 1. Revenue Bond Authorized.**

1.1 The City hereby authorizes the issuance of a revenue bond in an amount not to exceed \$2,500,000 under the Act to finance the Improvements and the costs of issuance of the revenue bond.

1.2 The revenue bond shall not be sold until the period of referral of this nonemergency ordinance has expired. If this ordinance is referred, the City may not sell the revenue bond unless the voters

approve the issuance of the revenue bond.

**Section 2. Appointment of Bond Counsel.** The City appoints Mersereau Shannon LLP to serve as Bond Counsel in connection with the issuance of the revenue bond.

**Section 3. Reimbursement Declaration.** It is the reasonable official intent of the City to reimburse itself for the capital expenditures associated with the Improvements with the proceeds of the Revenue Bond in the principal amount not to exceed \$2,500,000. This declaration of official intent is given pursuant to United States Treasury Regulations Section 1.150-2.

**Section 4. Effective Date.** This ordinance shall take effect on the 30<sup>th</sup> day after its enactment.

**PASSED AND ADOPTED** this 1st day of February 2016

Mode of Enactment: Single meeting by unanimous approval

Date of reading: February 1, 2016. In full \_\_\_\_\_ or by title only   X  .

  X   No Council member present at the meeting requested that the ordinance be read in full.

  X   A copy of the ordinance was provided to each Council member; three copies were provided for public inspection in the office of the City Recorder no later than one week before the first reading of the Ordinance.


Final Vote:

**In Favor:** Bixler, Collins, Frank, Price, Marquez, Taylor, Wytoski

**Absent:** None

**Opposed:** None

**Abstained:** None

  
Elizabeth Wytoski, Mayor

2/16/16  
Date of Signing

  
Rochelle Roaden, City Recorder

2/1/2016  
Date of Signing