

RESOLUTION NO. 2025/26-08
CITY OF DAYTON, OREGON

A RESOLUTION OF THE DAYTON CITY COUNCIL AUTHORIZING A LOAN FROM THE WATER FUND BY ENTERING INTO A FINANCING CONTRACT WITH THE OREGON INFRASTRUCTURE FINANCE AUTHORITY

WHEREAS, the Dayton City Council (the "Governing Body") of the City of Dayton ("Recipient") finds:

- A.** Recipient is a "municipality" within the meaning of Oregon Revised Statutes 285B.410(9).
- B.** Oregon Revised Statutes 285B.560 through 285B.599 (the "Act") authorize any municipality to file an application with the Oregon Infrastructure Finance Authority of the Business Development Department ("OBDD") to obtain financial assistance from the Water Fund.
- C.** Recipient has filed an application with OBDD to obtain financial assistance for a "water project" within the meaning of the Act.
- D.** OBDD has approved Recipient's application for financial assistance from the Water Fund pursuant to the Act.
- E.** Recipient is required, as a prerequisite to the receipt of financial assistance from OBDD, to enter into a Financing Contract with OBDD, number V26004, substantially in the form attached hereto as Exhibit 1. The project is described in Exhibit C to that Financing Contract (the "Project").
- F.** Notice relating to Recipient's consideration of the adoption of this resolution was published in full accordance with Recipient's charter and laws for public notification.

NOW, THEREFORE, the City of Dayton resolves as follows:

1. Financing Loan Authorized. The Governing Body authorizes the Mayor (the "Authorized Officer") to execute on behalf of Recipient the Financing Contract and such other documents as may be required to obtain financial assistance (the "Financing Documents"), including a grant from OBDD in the amount of \$50,000, and a loan from OBDD, on such terms as may be agreed upon between the Authorized Officer and OBDD, on the condition that the principal amount of the loan from OBDD to Recipient is not in excess of \$156,588 and an interest rate of 1.0% per annum. The proceeds of the loan from OBDD will be applied solely to the "Costs of the Project" as such term is defined in the Financing Contract.

2. Sources of Repayment. Amounts payable by Recipient are payable from the sources described in section 4 of the Financing Contract and the Oregon Revised Statutes Section 285B.581(2) which include:

- (a) The revenues of the project, including special assessment revenues;
- (b) Amounts withheld under ORS 285B.599;
- (c) The general fund of Recipient; or
- (d) Any other source.

3. Tax-Exempt Status. Recipient covenants not to take any action or omit to take any action if the taking or omission would cause interest paid by Recipient pursuant to the Financing Documents not to qualify for the exclusion from gross income provided by Section 103(a) of the Internal Revenue Code of 1986, as amended. Recipient may enter into covenants to protect the tax-exempt status of the interest paid by Recipient pursuant to the Financing Documents and may execute any Tax Certificate, Internal Revenue Service forms or other documents as may be required by OBDD or its bond counsel to protect the tax-exempt status of such interest.
4. Effective Date. This resolution shall take effect immediately upon its adoption.

ADOPTED this 3rd day of November 2025.

In Favor: Frank, Hildebrandt, Hover, Mackin, Pederson, Teichroew, Wilkins

Opposed:

Absent:

Abstained:

Annette Frank, Mayor

Date Signed

ATTESTED BY:

Rocio Vargas, City Recorder

Date of Enactment

Attachment: Exhibit A