

RESOLUTION NO. 3072

A RESOLUTION AUTHORIZING A NOTE IN AN AMOUNT NOT TO EXCEED \$4,000,000 TO PROVIDE SHORT-TERM FINANCING IN ANTICIPATION OF RECEIVING GRANT FUNDS TO REIMBURSE THE SHORT-TERM FINANCING OF CAPITAL EXPENDITURES INCLUDING THE CONSTRUCTION OF A ROTOR CRAFT TAXIWAY, HELIPAD LANDING SITE AND HELICOPTER RAMP FOR THE HELICOPTER OPERATIONS AREA AT THE BEND MUNICIPAL AIRPORT.

Findings

- A. The City of Bend, Oregon ("the City") finds it desirable to provide short-term financing to the Airport Fund to finance capital expenditures, including the construction of a rotor craft taxiway, helipad landing site and helicopter ramp for the helicopter operations area at the Bend Municipal Airport (the "Project").
- B. The Airport Fund does not have sufficient resources to pay current capital expenditures that the City expects to be paid by grant funds.
- C. The grant funds awarded for Airport activities are expected to be received during fiscal year 2018, after the expenditures are made, and when received will be sufficient to repay the outstanding balance of the short-term financing.
- D. The City is authorized by ORS 271.390 and the City Charter to enter into financing agreements, lease purchase agreements and other contracts of purchase for any real or personal property that the City Council determines is needed, and may provide that obligations of the City under those contracts are payable out of all or any portion of lawfully available funds of the City, and that lawfully available funds may be pledged to the payment of the obligations.
- E. The City finds that it is further in the best interest of the City to enter into a financing agreement (the "Financing Agreement") between the City and the Bank of the Cascades (the "Bank") to finance the costs of the Project, and the Financing Agreement will be evidenced by a note (the "2017 Short-Term Financing Note").
- F. The City adopts this Resolution to (i) provide the terms under which the 2017 Short-Term Financing Note may be issued to finance the costs of the Project, (ii) to provide for the issuance, execution and delivery of the 2017 Short-Term Financing Note, and the negotiation, execution and delivery of the 2017 Short-Term Financing Note, the Financing Agreement and the related documents, agreements, or certificates (collectively, the "Financing Documents") by the City, and (iii) to authorize certain officials of the City to take action on the City's behalf and to execute and deliver the Financing Documents.

BASED ON THESE FINDINGS, THE CITY COUNCIL OF THE CITY OF BEND
RESOLVES AS FOLLOWS:

Section 1. Authorization of the 2017 Short-Term Financing Note and the Financing Documents. The City authorizes the issuance, execution and delivery of the 2017 Short-Term Financing Note in a principal amount not to exceed \$4,000,000 with a maturity not to exceed 12 months from the date of its delivery. The proceeds of the 2017 Short-Term Financing Note shall be used to finance the costs of the Project. The City further authorizes the negotiation, execution and delivery of the Financing Documents with such changes or revisions as approved by the Authorized Representative.

Section 3. Security for the Obligation. The 2017 Short-Term Financing Note shall be secured by a pledge of the City's full faith and credit and taxing power, as provided by ORS 287A.315 and subject to the limitations of Sections 11 and 11b of Article XI of the Oregon Constitution. The amounts due under the 2017 Short-Term Financing Note shall be payable from grant funds and other revenues of the Airport or other lawfully available funds of the City. The owner of the 2017 Short-Term Financing Note will not have a lien or security interest on the Project.

Section 5. Deposit of 2017 Short-Term Financing Note Proceeds. The proceeds from the 2017 Short-Term Financing Note shall be deposited in the Airport Fund as determined by the City to pay costs of the Project.

Section 6. Delegation. The City Manager or Finance Director (or their respective designees) are hereby authorized on behalf of the City to take the following actions without further action by the City Council:

- (a) to establish the interest rate, repayment provisions and other terms of the 2017 Short-Term Financing Note;
- (b) to pledge the City's full faith and credit taxing power as provide by ORS 287A.315 and subject to the limitations of Sections 11 and 11b of Article XI of the Oregon Constitution;
- (c) to make covenants necessary and desirable to secure the 2017 Short-Term Financing Note;
- (d) to approve the form of, and execute and deliver the 2017 Short-Term Financing Note;
- (e) to negotiate, execute and deliver the Financing Documents and take any other action which is desirable in order to issue, sell, and deliver the 2017 Short-Term Financing Note in accordance with this Resolution.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption by the City Council.

Adopted by roll call vote of the Bend City Council on June 21, 2017.

YES: Casey Roats, Mayor
Sally Russell
Bill Moseley
Bruce Abernethy
Nathan Boddie
Justin Livingston
Barb Campbell

NO: NONE



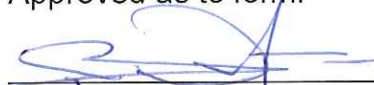
Casey Roats, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved as to form:



Mary Winters, City Attorney

