CITY OF BEND

City Hall
710 NW Wall Street
Bend, OR 97703

RESOLUTION NO. 3496

A Resolution of the City Council amending Resolution No. 3405 Clean Water State Revolving Fund Loan Agreement to Finance the Water Reclamation Facility Facilities Plan Update.

Findings

A. Resolution No. 3405 was adopted by City Council on November 20, 2024, to authorize Clean Water State Revolving Fund ("CWSRF") Loan Agreement No. R14529 for the amount of $1,700,000 (the "Loan") to finance the Water Reclamation Facility (WRF) Facilities Plan Update Project (the "Project").

B. Since Loan Agreement No. R14529 was executed, Project cost estimates have increased. Most recently, after Loan Agreement No. R14529 was amended with Resolution No. 3405, the Project's ongoing planning effort expanded several items and subsequently added to the scope of the work, including the inclusion of Water Pollution Control Facility ("WPCF") Permit renewal support, addressing hauled waste regional needs, and analyzing current and anticipated issues related to solids and liquids treatment capacity. The current estimate for the Project is not expected to exceed $2,000,000.

C. The City is authorized pursuant to the laws of the State of Oregon, including the applicable provisions of Oregon Revised Statues ("ORS") Chapters 467 and 287A, to enter into the Loan Amendment (defined below) to finance sewer infrastructure and improvement projects.

D. The City of Bend ("City") has entered into negotiations with the State of Oregon Department of Environmental Quality ("DEQ") to increase the Loan amount to the City from the CWSRF for the Project.

E. The DEQ has provided a written amendment to Loan Agreement No. R14529 to increase the Loan amount mentioned above (the "Loan Amendment"). The Loan Amendment will be in substantially the form as presented in Exhibit A.

F. The City now wishes to amend Resolution 3405 to increase the authorized Loan amount to $2,000,000. All other terms and conditions of Resolution No. 3405 will remain unchanged. Each term defined in Resolution No. 3405 shall have the same meaning for purposes of this Resolution.

Resolution

Based on these findings, the City Council of the City Of Bend resolves as follows:

1. The City Council authorizes and approves the execution and delivery of the Third Amendment to Loan Agreement No. R14529 by the Authorized Representative, which evidences the Loan for the purpose of financing the Water Reclamation Facilities Plan Update Project.

Adopted by the Bend City Council

October 7, 2026

Yes: Kebler, Méndez, Norris, Perkins, Platt, Riley

No:

Melanie Kebler, Mayor

Attest:

Ashley Bontje, City Recorder

Approved as to form:

Ian Leitheiser, City Attorney

CLEAN WATER STATE REVOLVING FUND
LOAN AGREEMENT NO. R14529
AMENDMENT NO. 3

CITY OF BEND

This Amendment No. 3 ("Amendment") to Loan Agreement No. R14529 (the "Loan Agreement") is executed between the STATE OF OREGON ACTING BY AND THROUGH ITS DEPARTMENT OF ENVIRONMENTAL QUALITY ("DEQ") and City of Bend (the "Borrower"), effective as of the Effective Date indicated below. Capitalized terms used in this Amendment which are not defined herein have the meanings assigned to them in the Loan Agreement.

The purpose of this amendment is to increase the loan amount by $300,000, update Appendices A and B and the Loan Reserve Requirement accordingly.

Date of Loan Agreement: May 27, 2022

The parties agree as follows:

1. **EFFECTIVE DATE.** This Amendment is effective on the date that it is fully executed and approved as required by applicable law.

2. **AMENDMENTS TO AGREEMENT.**

a. ARTICLE 1(C) is amended and restated as follows:

"**(C) LOAN AMOUNT:** $2,000,000."

b. The second sentence of ARTICLE 5(C)(1) is amended and restated as follows:

"Until the Final Loan Amount is calculated, the Loan Reserve Requirement is $78,590."

c. The attached "Appendix A: Repayment Schedule" replaces the current "Appendix A: Repayment Schedule" in its entirety.

d. The attached "Appendix B: *Estimated* CWSRF Loan Disbursement Schedule" replaces the current "Appendix B: *Estimated* CWSRF Loan Disbursement Schedule" in its entirety.

3. **COUNTERPARTS.** This Amendment may be executed in two or more counterparts, each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.

4. **ORIGINAL AGREEMENT.** Except as expressly amended above, the terms and conditions of the Loan Agreement shall remain in full force and effect. The Borrower certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.

BORROWER: CITY OF BEND

By:_____ Date: _____

Typed Name: _____

Title: _____

STATE OF OREGON ACTING BY AND THROUGH ITS
DEPARTMENT OF ENVIRONMENTAL QUALITY

By:_____ Date: _____
Jennifer Wigal, Deputy Administrator
Water Quality Division

APPENDIX A: PRELIMINARY REPAYMENT SCHEDULE

OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE REVOLVING FUND LOAN PROGRAM

REPAYMENT SCHEDULE

BORROWER:	**City of Bend**	ANNUAL INTEREST RATE	0.53%
SRF LOAN NO.:	**R14529**	TERM IN YEARS:	5
LOAN AMOUNT:	$ 2,000,000	PAYMENT AMOUNT:	$ 87,133
		ANNUAL FEE:	0.0%

Due Date	Pmt#	PAYMENT Principal	Interest	Fees	Total	Principal Balance
			EC PF Applied			773,904
6/1/2027	1	0	1,704	0	1,704	773,904
12/1/2027	2	85,082	2,051	0	87,133	688,822
6/1/2028	3	85,308	1,825	0	87,133	603,514
12/1/2028	4	85,534	1,599	0	87,133	517,980
6/1/2029	5	85,760	1,373	0	87,133	432,220
12/1/2029	6	85,988	1,145	0	87,133	346,232
6/1/2030	7	86,215	918	0	87,133	260,017
12/1/2030	8	86,444	689	0	87,133	173,573
6/1/2031	9	86,673	460	0	87,133	86,900
12/1/2031	10	86,900	230	0	87,130	0
TOTALS		773,904	11,994	0	785,898	

REQUIRED LOAN RESERVE: $ 78,590

APPENDIX B: ESTIMATED DISBURSEMENT SCHEDULE

Borrower:		City of Bend					
Loan #:		R14529					
Int. Rate:		0.53%					
1st Pmt:		6/1/2027					
Disb. Number	**Paid/ Estimate**	**Gross Disb. Amount**	**Principal Forg. Applied**	**Net Amount Disbursed**	**Disb. Date**	**Total # of Days**	**Interest Amount**
1	Paid	$ 70,456.00	$ 70,456.00	$ 0.00	3/24/2025	799	0.00
2	Paid	$ 215,782.00	$ 215,782.00	$ 0.00	5/23/2025	739	0.00
3	Paid	$ 60,429.00	$ 60,429.00	$ 0.00	8/8/2025	662	0.00
4	Paid	$ 368,426.00	$ 368,426.00	$ 0.00	10/22/2025	587	0.00
5	Paid	$ 183,145.00	$ 159,574.00	$ 23,571.00	2/23/2026	463	158.47
6	Paid	$ 417,731.00	$ 208,865.50	$208,865.50	5/12/2026	385	1,167.64
7	Estimate	$ 100,000.00	$ 50,000.00	$ 50,000.00	2/1/2027	120	87.12
8	Estimate	$ 100,000.00	$ 50,000.00	$ 50,000.00	3/1/2027	92	66.79
9	Estimate	$ 100,000.00	$ 42,563.50	$ 57,436.50	4/1/2027	61	50.87
10	Estimate	$ 384,031.00	$ 0.00	$384,031.00	5/1/2027	31	172.87
TOTAL:		**$2,000,000.00**	**$1,226,096.00**	**$773,904.00**			**1,703.77**