

RESOLUTION NO. 2460

A RESOLUTION OF THE CITY OF ALBANY, OREGON AUTHORIZING THE ISSUANCE OF SEWER REVENUE BONDS.

The City of Albany, Oregon (the "City") proposes to issue its revenue bonds to finance revenue producing facilities to be owned and operated by the City and more particularly described as Central Albany and West Albany Storm Drain Facilities; and


The estimated cost of the Facilities is \$3,000,000 including the cost of issuance of the Bonds. The City has caused to be prepared a plan showing that the estimated net revenues of the Facilities are sufficient to pay the estimated debt incurred under the sewer revenue bond issue;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALBANY; OREGON:

1. The City hereby authorizes the issuance of its sewer revenue bonds in the principal sum of \$3,000,000 for the purpose of financing the Central Albany and West Albany Storm Drain Facilities including the payment for engineering fees, attorneys' fees and cost of issuance of the bonds.
2. The sewer revenue bonds shall not be general obligations of the City or a charge upon the tax revenues of the City. The gross revenues of the sewer system, after payment of the operating and maintenance expenses, administrative overhead and treatment plant operating and maintenance expenses is pledged to the payment of principal of and interest upon the sewer revenue bonds. Such revenues are estimated by the City to be sufficient to pay the debt incurred under the sewer revenue bonds. So long as the sewer revenue bonds are outstanding the City Council of the City does covenant to fix rates and collect charges for sewer services adequate to provide sufficient gross revenue to pay the principal of and the interest on the sewer revenue bonds.
3. The City Recorder is authorized and directed to publish a notice of intent to issue sewer revenue bonds and describing the purposes for which the sewer revenue bonds are to be sold, in the form attached hereto as Exhibit A, in one issue of the Albany Democrat Herald, a newspaper of general circulation within the City and shall post such notice in a conspicuous place in the City Hall. The revenue bonds if authorized to be sold may be sold at public competitive bid or a private negotiated sale and shall be determined by the City Council. The sewer revenue bonds shall not be sold at public competitive bid nor shall a purchase agreement for a private negotiated sale be executed, for at least sixty (60) days following publication of the notice of intent to issue sewer revenue bonds.
4. Voters residing within the City may file a petition with the City asking to have the question of whether to issue the sewer revenue bonds referred to a vote of the registered voters residing within the City. If the City receives petitions containing valid signatures of registered voters residing within the City totaling not less than 5% of the registered voters within the City, the

question of issuing the sewer revenue bonds shall be placed on the ballot at the next legally available election date. In the event the City receives such a petition within (60) days from publication of the notice of intent to issue sewer revenue bonds, the bonds will not be sold until this resolution is approved by a majority of the registered voters residing within the City and voting on the resolution.

ADOPTED by the City Council and approved by the Mayor this 25th day of April, 1984.



Mayor

ATTEST:



City Recorder

CITY OF ALBANY, OREGON

NOTICE OF INTENT TO ISSUE SEWER REVENUE BONDS

NOTICE IS HEREBY GIVEN that on April 25, 1984 the City Council of the City of Albany, Oregon adopted Resolution No. 2460 authorizing the issue of Sewer Revenue Bonds as provided by Oregon Revised Statutes 288.805 to 288.945, inclusive, in the amount of \$3,000,000 for the purpose of financing the Central Albany and West Albany Storm Drain projects which will provide storm drainage for 280 acres of developed area in downtown Albany. These projects are part of a large sewer separation program to provide separate storm drainage facilities in areas that currently have combined sanitary and storm sewer facilities. These projects will also help to alleviate localized basement flooding and street flooding problems.

Central Albany Storm Drain

The Central Albany Storm Drain project involves construction of 17,835 feet of storm drain pipe. The pipe sizes range from 12 to 48 inches in diameter. This project will provide a major trunk sewer to be constructed primarily in Washington Street and lateral sewers to be constructed in the intersecting streets. The storm water collected by this system will discharge to the Calapooia River near its confluence with the Willamette River.

West Albany Storm Drain

The West Albany Storm Drain project involves construction of approximately 11,800 feet of storm drain pipe. The pipe sizes range from 12 to 42 inches in diameter. This project will extend the existing Elm Street trunk sewer from 8th Avenue south to Queen Avenue, and it will provide lateral sewers in the intersecting streets.

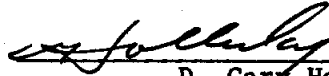
The principal of and interest on the Sewer Revenue Bonds are expected to be paid solely from the gross revenues of the sewer system, after payments of the operating and maintenance expenses, administrative overhead and treatment plant operating and maintenance expenses and shall not be general obligations of the City nor a charge upon the tax revenues of the City.

Voters residing within the City of Albany may file a petition with the City Recorder of the City of Albany, Oregon within sixty (60) days from the publication of this Notice in the Albany Democrat Herald and the posting of this Notice in a conspicuous place in the City Hall, asking to have the question of whether to issue the sewer revenue bonds referred to a vote of the registered voters residing within the City of Albany, Oregon. If not less than five percent of the registered voters residing within the City of Albany, Oregon sign and file petitions with the City Recorder, then the question of issuing such sewer revenue bonds shall be placed on the ballot at the next legally available election date. If sufficient petitions are not filed, the City of Albany, Oregon may proceed to issue the sewer revenue bonds.

Resolution No. 2460 and a plan showing that the estimated net revenues of the Facility are sufficient to pay the estimated debt incurred under the proposed sewer revenue bond issue are available for inspection at the office of the City Recorder, City Hall, Albany, Oregon.

PUBLISH April 26, 1984

CITY OF ALBANY, OREGON



D. Gary Holliday
Finance Director