



ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY OF MOLALLA, OREGON AUTHORIZING THE ISSUANCE OF WASTEWATER REVENUE BONDS TO FINANCE IMPROVEMENTS TO THE WASTEWATER SYSTEM.

WHEREAS the City of Molalla, located in Clackamas County, Oregon (the "City") is authorized to issue revenue bonds for any public purpose under ORS 287A.150. Revenue bonds issued under ORS 287A.150 may be payable from all or any portion of the "revenues" or other property of the City. ORS Chapter 287A defines "revenues" to include all fees, tolls, excise taxes, assessments, property taxes and other taxes, rates, charges, rentals and other income or receipts derived by a public body or to which a public body is entitled;

WHEREAS ORS 287A.150 permits the City to authorize revenue bonds by enacting a nonemergency ordinance. The City may not sell those revenue bonds until the period of referral has passed;

WHEREAS the City has identified the need to finance improvements to the City's wastewater system, including providing an upgraded treatment plant and other improvements (collectively, the "Project");

WHEREAS prior to the issuance of the revenue bonds the City may incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the City;

WHEREAS the City has determined that those moneys advanced to pay the Expenditures prior to the issuance of the revenue bonds are available only for a temporary period and it is necessary to reimburse the City for the Expenditures from the proceeds of the revenue bonds, which may be issued in one or more series; and

WHEREAS the City enacts this nonemergency ordinance to authorize the issuance of up to \$52,000,000 of wastewater revenue bonds to finance the Project.

Now, Therefore, the City of Molalla Ordains as follows:

Section 1. Revenue Bonds Authorized. The City hereby authorizes the issuance of not more than Fifty-Two Million Dollars (\$52,000,000) in aggregate principal amount of revenue bonds (the "Bonds") under ORS 287A.150 to finance costs of the Project and costs of issuing the Bonds. Prior to selling the Bonds the City Council shall adopt a resolution or ordinance establishing the terms and conditions of the Bonds or delegating the authority to establish those terms and conditions.

Section 2: Bonds Payable Solely from Revenues; No Additional Taxes Authorized. The Bonds shall be payable from the revenues of the City's wastewater system and the City may pledge those revenues, and any other "revenues" as defined in ORS Chapter 287A or property of the City to pay the Bonds. Neither the authorization nor the issuance of the Bonds shall authorize the City to levy any additional taxes.

Section 3. Procedure. The Bonds shall not be sold until the period of referral of this nonemergency ordinance has expired.

Section 4. Reimbursement. The City hereby declares its official intent to reimburse its expenditures on the Project with the proceeds of the Bonds pursuant to United States Treasury Regulation 1.150-2.

Section 5. Effective Date. This Ordinance shall take effect 30 days after enactment.

The First Reading was held on September 27, 2023, and moved to a Second Reading by _____ vote of the City Council.

The Second Reading was held on _____ and adopted by the City Council on _____.

Yeas: _____

Nays: _____

Signed this ____ day of _____ 2023.

Scott Keyser, Mayor

ATTEST:

Christie Teets, CMC
City Recorder