

City of Hood River, Oregon
RESOLUTION NO. 2022-05

A RESOLUTION OF THE CITY OF HOOD RIVER, OREGON AUTHORIZING A LOAN FROM THE WATER FUND
BY ENTERING INTO A FINANCING CONTRACT WITH THE OREGON INFRASTRUCTURE FINANCING
AUTHORITY

WHEREAS, the City of Hood River, Oregon (the "City") is a "municipality" within the meaning of Oregon Revised Statutes 285B.410(9);

WHEREAS, the City is authorized by Oregon Revised Statutes 285B.560 through 285B.599 (the "Act") to file an application with the Oregon Infrastructure Finance Authority of the Business Development Department ("OBDD") to obtain financial assistance from the Water Fund;

WHEREAS, the City has filed an application with the OBDD to obtain financial assistance for a "water project" within the meaning of the Act;

WHEREAS, the OBDD has approved the City's application for financial assistance from the Water Fund pursuant to the Act;

WHEREAS, the City is required, as a prerequisite to the receipt of financial assistance from the OBDD, to enter into a Financing Contract with the OBDD, number Y22001, substantially in the form of the attached Financing Contract. The project is described in Exhibit C of that Financing Contract (the "Project");

WHEREAS, notice relating to the City's consideration of the adoption of this Resolution was published in full accordance with the City's charter and laws for public notification; and

NOW, THEREFORE, BE IT RESOLVED by the Hood River City Council that:

Section 1. Financing Loan Authorized. The City Council hereby authorizes the issuance of a loan agreement (the "Loan Agreement") in an aggregate principal amount of not more than \$1,151,145 at an interest rate of 1.78% per annum and a term of not to exceed 30 years. The proceeds of the OBDD loan will be applied solely to the "Costs of the Project" as defined in the Financing Contract. The City Manager or the City Finance Director, or the person designated by either of those individuals (each of whom is referred to herein as a "City Official"), are hereby authorized on behalf of the City and without further action by the City Council, to:

A. Execute on behalf of the City the Financing Contract and other such documents as may be required to obtain financial assistance, including a grant from the OBDD in the amount of \$200,000 (the "Financing Documents").

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

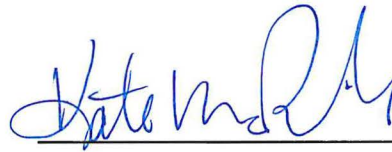
- A. The revenues of the project, including special assessment revenues;
- B. Amounts withheld under ORS 285B.599;

- C. The general fund of the Recipient; or
- D. Any other source.

Section 3. Tax Exemption Status. The City covenants not to take any action of omit to take any action if the taking or omission would cause interest paid by the City 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. The City may enter into covenants to protect the tax-exempt status of the interest paid by the City pursuant to the Financing Documents and may execute any Tax Certificate, Internal Revenue Service forms or other documents as may be required by the OBDD or its bond counsel to protect the tax-exempt status of such interest.

Section 4. Effective Date. This resolution shall take effect upon its adoption.

Adopted by the City Council this 9th day of May, 2022.



Kate McBride, Mayor

Attest:

Approved as to Form:



Jennifer Gray, City Recorder



Dan Kearns, City Attorney