

RESOLUTION NO. 3013

A RESOLUTION AUTHORIZING AND APPROVING A CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT TO FINANCE WASTEWATER TREATMENT UPGRADES

Findings:

- A. The City of Bend ("City") has entered into negotiations with the State of Oregon Department of Environmental Quality ("DEQ") for a loan to the City from the Clean Water State Revolving Fund ("CWSRF") in an amount not to exceed \$21,000,000.
- B. The DEQ has provided the Clean Water State Revolving Fund Loan Agreement No. R14514 as attached in Exhibit A for the amount of \$12,200,000. DEQ has also provided a Commitment Letter to allow for an additional increase in loan proceeds for a total loan amount not to exceed \$21,000,000.

Based on these findings,

THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:

1. The City does authorize and approve of the form of the CWSRF Loan Agreement for the financing of the Wastewater Treatment Upgrades Project (the "Treatment Project Loan"). The Treatment Project Loan will be secured by and payable from the Net Revenues of the City's sewer system on a subordinate basis to the City's outstanding and future Additional Bonds issued under the Master Resolution, all as defined and further described in Section 1 of the CWSRF Loan Agreement.
2. The City does authorize and approve the establishment and funding of a designated reserve account to meet the "Loan Reserve" requirement of the CWSRF Loan Agreement, and does direct the Finance Director to establish this Loan Reserve. The Loan Reserve will be funded by existing cash balances in the Water Reclamation Fund.
3. The City Council does authorize and direct the City Manager or Finance Director, acting for and on behalf of the City, to execute the final CWSRF Loan Agreement with substantially the same terms as the Loan Agreement in Exhibit A, and such other additional documents as may reasonably be required for the consummation and closing of the Treatment Project Loan, and any amendments required thereafter. Future amendments will not exceed a total loan amount of \$21,000,000.

Adopted by the City Council the 18th day of November, 2015.

Yes: Jim Clinton, Mayor
Victor Chudowsky
Doug Knight
Sally Russell
Nathan Boddie
Casey Roats

No: None

Attest:

Jim Clinton, Mayor

Robyn Christie, City Recorder

Approved as to form:

Mary Winters, Legal Counsel