

**BEFORE THE CITY COUNCIL OF THE  
CITY OF ADAIR VILLAGE, OREGON**

**In the Matter of the City of )  
Adair Village Authorizing a )  
Loan from the Special )  
Public Works Fund )**

**RESOLUTION NO. 2023 – 6**

The Adair Village City Council (the “Governing Body”) of the City of Adair Village (the “Recipient”) finds:

A. The Recipient is a “municipality” within the meaning of Oregon Revised Statutes 285B.410(9).

B. Oregon Revised Statutes 285B.410 through 285B.482 (the “Act”) authorize any municipality to file an application with the Oregon Infrastructure Finance Authority of the Business Development Department (“OBDD”) to obtain financial assistance from the Special Public Works Fund.

C. The Recipient has previously entered into a Financing Contract with OBDD for the project described in Exhibit C to the Financing Contract (the “Project”), project number L20005, in the principal amount of \$2,500,000, effective July 8<sup>th</sup>, 2020.

D. The OBDD has approved the Recipient’s application for additional financial assistance from the Special Public Works Fund.

E. The Recipient is required, as a prerequisite to the receipt of additional financial assistance from the OBDD, to enter into Amendment 1 to the Financing Contract with the OBDD, substantially in the form attached hereto as Exhibit A.

F. Notice relating to the Recipient’s consideration of the adoption of this Resolution was published in full accordance with the Recipient’s charter and laws for public notification.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Adair Village, Oregon as follows:

1. Financing Loan Authorized. The Governing Body authorizes the City Administrator (the “Authorized Officer”) to execute Amendment 1 to the Financing Contract and the Replacement Promissory Note (the “Financing Documents”) and such other documents as may be required to obtain additional financial assistance, on the condition that the new total principal amount of the loan from the OBDD to the Recipient is not in excess of \$2,700,000. The proceeds of the loan from the OBDD will be applied solely to the “Costs of the Project” as such term is defined in the Financing Contract.

2. Sources of Repayment. Amounts payable by the Recipient are payable from the sources described in section 4 of the Financing Contract and the Oregon Revised Statutes Section 285B.437(3) which include:

- (a) The revenues of the project, including special assessment revenues;
- (b) Amounts withheld under ORS 285B.449 (1);
- (c) The general fund of the Recipient; or
- (d) Any other source.

3. Additional Documents. The City Administrator is hereby authorized to enter into any agreements and to execute any documents or certificates which may be required to obtain financial assistance from the OBDD for the Project pursuant to the Financing Documents.

4. Tax-Exempt Status. The Recipient covenants not to take any action or omit to take any action if the taking or omission would cause interest paid by the Recipient 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 Recipient may enter into covenants to protect the tax-exempt status of the interest paid by the Recipient 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.

DATED this 11 day of July, 2023.

ADAIR VILLAGE, OREGON



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Mayor

ATTEST



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City Clerk