

ORDINANCE NUMBER 958

AN ORDINANCE calling a special bond election for the purpose of submitting to the qualified electors of the City of Payette, Payette County, Idaho, the question of the issuance of \$500,000 General Obligation Water Bonds of the City of Payette, Payette County, Idaho, and, in the event such general obligation bonds are voted at said election, providing for the issuance of such general obligation bonds and the refunding of the \$675,000 General Obligation Refunding Bonds, 1978, of the City of Payette, Payette County, Idaho outstanding at the time of said election.

WHEREAS, the construction of improvements and extensions to the existing municipal water system of the City of Payette, Payette County, Idaho (the "City") is considered by the City Council of the City to be necessary and desirable to the health and well-being of the inhabitants of the City; and

WHEREAS, the City does not have sufficient funds available to pay the cost of the construction of improvements and extensions to the existing municipal water system of the City, including, without limitation, acquiring, constructing, enlarging, extending, altering and improving, as appropriate, (1) water mains and related equipment, including a booster pump station, (2) a larger reservoir connection than presently exists and (3) a new well, and has determined it advisable to finance such cost through the issuance of general obligation bonds of the City pursuant to the provisions of Chapter 10 of Title 50 of the Idaho Code, as amended, and in order to do so desires to provide for the holding of a special bond election as required by said chapter; and

WHEREAS, if said special bond election passes, it is considered by the City Council of the City to be necessary, desirable and beneficial to issue bonds to refund the \$675,000 General Obligation Refunding Bonds, 1978 of the City outstanding at the time of said special bond election, for the purpose of extending the final maturity date of such outstanding bonds to approximately coincide with the final maturity date of the proposed bond issue to be voted upon at said special bond election, so the debt service requirements for all outstanding bonds relating to the municipal water system of the City may be reasonably even over the life of such bonds and so payments on such debt service requirements may be more easily met by the revenues of said municipal water system;

NOW, THEREFORE, Be It Ordained by the Mayor and Council of the City of Payette, Payette County, Idaho, as follows:

Section 1. That a special bond election is hereby called to be held in the City on September 10, 1985, for the purpose of submitting to the qualified electors of the City the proposition set forth in the form of ballot appearing in Section 4 hereof.

Section 2. That the polls at the special bond election shall open at the hour of 12:00 o'clock Noon and remain open continuously until the hour of 8:00 o'clock P.M. and then close. The special bond election shall be held at the voting places specified in the form of notice of election set out in Section 6 hereof.

Section 3. That all qualified electors of the City, eighteen (18) years of age or older, who have resided in the City for thirty (30) days, who are registered as provided by law are entitled to vote at the special bond election.

Section 4. That the ballots to be used at the special bond election shall be prepared by the City Clerk not less than twenty-one (21) days prior to the day of the special bond election, in accordance with Section 50-439 of the Idaho Code, and shall be in substantially the following form:

OFFICIAL BALLOT
SPECIAL BOND ELECTION
CITY OF PAYETTE
PAYETTE COUNTY
STATE OF IDAHO
September 10, 1985

QUESTION: Shall the City of Payette, Payette County, Idaho, issue and sell its general obligation bonds to the amount of \$500,000, for the purpose of providing funds with which to construct improvements and extensions to the City's existing municipal water system, all as more fully provided in Ordinance Number 958 adopted by the City Council of said City on August 5, 1985?

IN FAVOR OF ISSUING BONDS TO
THE AMOUNT OF \$500,000 FOR : _____ :
THE PURPOSE STATED IN ORDINANCE : _____ :
NUMBER 958

AGAINST ISSUING BONDS TO THE
AMOUNT OF \$500,000 FOR : _____ :
THE PURPOSE STATED IN ORDINANCE : _____ :
NUMBER 958

INSTRUCTIONS TO VOTERS: To vote on the preceding question, place a cross (X) in the square to the right of the words "IN FAVOR OF ISSUING BONDS TO THE AMOUNT OF \$500,000 FOR THE PURPOSE STATED IN ORDINANCE NUMBER 958" or "AGAINST ISSUING BONDS TO THE AMOUNT OF \$500,000 FOR THE PURPOSE STATED IN ORDINANCE NUMBER 958", according to the way you desire to vote on the question. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you, by mistake or accident, mark, tear, deface, or otherwise mutilate this ballot, return it to the election judges and obtain another ballot.

If the question set forth above is approved, said City intends to refund the \$675,000 outstanding General Obligation Refunding Bonds, 1978, of said City pursuant to Chapter 5 of Title 57 of the Idaho Code, as amended, by issuing a series of refunding bonds that will effectively extend the final maturity date of such outstanding bonds to the final maturity date of the proposed bond issue set forth in the above question.

The following information is required by Section 34-440, Idaho Code:

The total existing indebtedness, including interest accrued as of September 10, 1985, of the City of Payette, Payette County, Idaho is \$ 676,019. The interest rate anticipated on the proposed general obligation bonds is 9.25%. The range of anticipated rates is from 8.0% to 11.0%. The total amount to be repaid over the life of the proposed general obligation bonds, based on the anticipated interest rate, is \$ 1,153,050.

Section 5. That the City Clerk shall, in accordance with the provisions of Section 50-440 of the Idaho Code, cause sample ballots to be printed not less than fifteen (15) days before the special bond election, which sample ballots shall be in the same form as the official ballot set forth in Section 4 hereof except that they shall have printed thereon the words "Sample Ballot", shall be on paper of a different color than the official ballot and shall not be numbered. The sample ballots shall be available in the

office of the City Clerk to be furnished to any person applying therefor to the City Clerk. The City Clerk shall cause the form of sample ballot to be published at least twice in The Independent Enterprise, the official newspaper of the City, the last publication to be within five (5) days of the date of the special bond election.

Section 6. That notice of the special bond election shall be given by the City Clerk by publication of notice of election in The Independent Enterprise, the official newspaper of the City, being published and having general circulation in the City, once a week on the same day of five (5) consecutive weeks, the first of which publications shall be not less than thirty (30) days prior to the date fixed for the holding of the special bond election. The notice of election shall be in substantially the following form:

NOTICE OF SPECIAL BOND ELECTION

Pursuant to the laws of the State of Idaho and Ordinance Number 958 of the City of Payette, Payette County, Idaho (the "City"), notice is hereby given that a special bond election will be held in the City on Tuesday, September 10, 1985, beginning at the hour of 12:00 o'clock Noon and closing at the hour of 8:00 o'clock P.M. of said day, for the purpose of taking a vote upon the following question, to-wit:

QUESTION: Shall the City of Payette, Payette County, Idaho, issue and sell its general obligation bonds to the amount of \$500,000, for the purpose of providing funds with which to construct improvements and extensions to the City's existing municipal water system, all as more fully provided in Ordinance Number 958 adopted by the City Council of said City on August 5, 1985?

The special bond election shall be held at the following voting places:

<u>Precinct Number</u>	<u>Voting Place</u>
1	First United Methodist Church 502 North 11th Street Payette, Idaho
2	Payette Public Library 24 South 10th Street Payette, Idaho
3	St. John's Church of Christ 346 North 4th Street Payette, Idaho

Notice is further given that only qualified electors of the City, eighteen (18) years of age or older, who have resided in the City for thirty (30) days, and who are registered as provided by law are entitled to vote at the special bond election. No qualified elector who is duly registered as a voter and who voted in at least one (1) general city or county election in the past four (4) years, and who continued to reside at the same address, or within the same precinct in which he is registered, shall be required to re-register. But any elector (i) who has failed or neglected heretofore to vote in at least one (1) general city or county election in the past four (4) years, (ii) who has not registered, (iii) who has had his registration cancelled by the

proper election official as provided by law, or (iv) who has changed his residence (excluding a change within a precinct not requiring re-registration) must re-register.

An elector may register at the office of the City Clerk in the City Hall in the City. Any registered elector of the City may make written application to the City Clerk in accordance with law for an absentee ballot, provided that an absentee ballot must be received by the City Clerk by 8:00 o'clock P.M. on the day of the special bond election in order to be counted.

The voting at the special bond election shall be by separate ballot. The ballots to be supplied the voters for their use at the special bond election shall be in the form set forth in Ordinance Number 958.

If at the special bond election two-thirds of the qualified registered electors, eighteen (18) years of age or older, voting at the special bond election assent to the issuing of the bonds and the incurring of the indebtedness thereby created for the purpose of providing funds with which to construct improvements and extensions to the existing municipal water system of the City, including, without limitation, acquiring, constructing, enlarging, extending, altering and improving, as appropriate, (1) water mains and related equipment, including a booster pump station, (2) a larger reservoir connection than presently exists and (3) a new well, the general obligation bonds shall be issued in such amount (not exceeding \$500,000) as shall be necessary to accomplish such voted purpose in the manner provided by the Municipal Bond Law of

Idaho. The general obligation bonds, or any issue hereof, shall mature over a period commencing at the expiration of one (1) years from their date and ending twenty (20) years from their date and shall bear interest all in accordance with the provisions of Section 50-1026, Idaho Code, as amended, and the Municipal Bond Law of Idaho.

If the question set forth above is approved, said City intends to refund the \$675,000 General Obligation Refunding Bonds, 1978, of said City outstanding at the time of said special bond election pursuant to Chapter 5 of Title 57 of the Idaho Code, as amended, by issuing a series of refunding bonds that will effectively extend the final maturity date of such outstanding bonds to the final maturity date of the proposed bond issue set forth in the above question.

The following information is required by Section 34-440, Idaho Code:

The total existing indebtedness, including interest accrued as of September 10, 1985, of the City of Payette, Payette County, Idaho is \$676,019. The interest rate anticipated on the proposed general obligation bonds is 9.25%. The range of anticipated rates is from 8.0% to 11.0%. The total amount to be repaid over the life of the proposed general obligation bonds, based on the anticipated interest rate, is \$1,153.050.

PUBLIC NOTICE IS HEREBY GIVEN that the Mayor and City Council of the City will hold a special meeting on September 12, 1985 (said date being within six (6) days of the date of the

special bond election), at the hour of 7:30 o'clock P.M., at the regular meeting place of the Mayor and City Council of the City in the City Hall in the City, for the purpose of canvassing the results of the special bond election.

Dated at Payette, Idaho, this 5th day of August, 1985.

B. L. M. M. M. M. M.
City Clerk

Section 7. That if at the special bond election two-thirds of the qualified registered electors of the City eighteen (18) years of age or older who have resided in the City for thirty (30) days voting thereat assent to the issuance of the general obligation bonds, the general obligation bonds of the City shall be issued as hereinabove provided, shall mature over a period commencing at the expiration of one (1) years from their date and ending twenty (20) years from their date, and shall bear interest all in accordance with the provisions of Section 50-1026, Idaho Code, as amended, and the Municipal Bond Law of Idaho.

Section 8. That the following suitable polling places are hereby designated for the following precincts for, and the following persons are hereby appointed to act as judges and as clerks of, the special bond election:

PRECINCT
NUMBER

POLLING PLACE

PRECINCT
ELECTION OFFICIALS

1	First United Methodist Church 502 North 11th Street Payette, Idaho	<u>Marjorie Schrecongost</u> Judge <u>Helen Browning</u> Clerk <u>Bonnie Hall</u> Clerk <u>Luceille Reed</u> Clerk
2	Payette Public Library 24 South 10th Street Payette, Idaho	<u>Joan Fulkerson</u> Judge <u>LaVonne Godschalx</u> Clerk <u>Dorotha Wolfe</u> Clerk <u>Gail Taylor</u> Clerk
3	St. John's Church of Christ 346 North 4th Street Payette, Idaho	<u>Mary Pederson</u> Judge <u>Alta Fales</u> Clerk <u>Violet Griffin</u> Clerk <u>Ruth Rynearson</u> Clerk <u>Marie C. Sullivan</u> Clerk

The City Clerk is hereby directed to notify said appointees of their appointment within five (5) days of the adoption of this ordinance, and to administer the oath of office to each of the election judges and clerks designated herein before or upon delivery of the ballots and election supplies.

The City Clerk is hereby directed to provide an "absent elector's polling place" as required by Section 50-448, Idaho Code.

Section 9. That the Mayor and City Council of the City shall hold a special public meeting on September 12, 1985, a date within six (6) days following the special bond election, at the hour of 7:30 o'clock P.M. at the City Hall in the City for the purpose of canvassing the results of the special bond election and thereupon the result shall be entered in the minutes of the City Clerk and proclaimed as final.

Section 10. That the general obligation bonds shall be issued if carried as aforesaid and payment shall be made, except as hereinafter provided, through the levy of taxes on all taxable property in the City, beginning September 1985 and continuing in each year thereafter until principal and interest shall have been fully paid, in such amounts and at such rates as are necessary, to assure the prompt payment of such interest, and also to constitute a sinking fund for the payment of the principal thereof, and it is hereby ordered that such taxes shall be levied annually at the time and in the manner the general taxes for the City are levied in each such year, in addition to all other authorized taxes and assessments; provided, however, the aforementioned taxes shall never be diminished prior to payment of all said general obligation bonds excepting in any year to the extent that other available funds shall have been applied to or set aside in a special fund to be irrevocably held for the payment of principal or interest or both, payable from said taxes for such year. The proper officer or

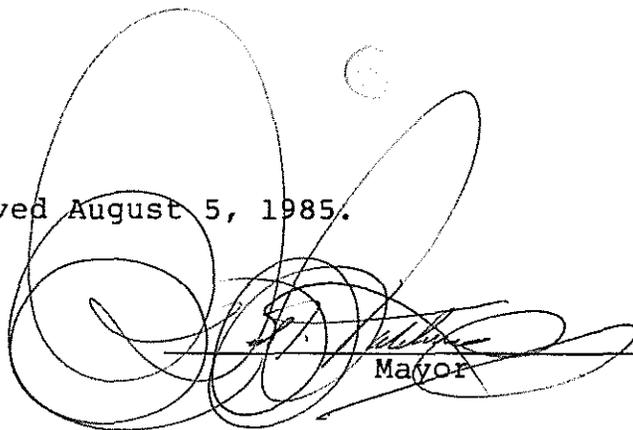
officers of the City are hereby authorized and directed to do all things requisite and necessary to carry out the provisions of this section and to apply the proceeds of the rates, fees, tolls and charges or the taxes so collected to the payment of such principal and interest.

Section 11. That if the question set forth in Section 4 hereof is approved at the special bond election, the City intends to issue bonds without an election pursuant to Chapter 5 of Title 57 of the Idaho Code, as amended, to refund its \$675,000 General Obligation Refunding Bonds, 1978, outstanding at the time of said special bond election for the purpose of effectively extending the final maturity date of such outstanding bonds to the final maturity date of the proposed bond issue to be voted upon at the special bond election.

Section 12. That all ordinances and resolutions or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

Section 13. That this ordinance shall be published within one (1) month after its passage in one (1) issue of The Independent Enterprise, the official newspaper of the City, and shall take effect and be in full force immediately upon its passage, approval and publication.

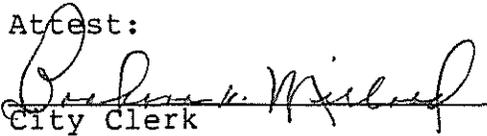
Adopted and approved August 5, 1985.



Mayor

[AFFIX SEAL HERE]

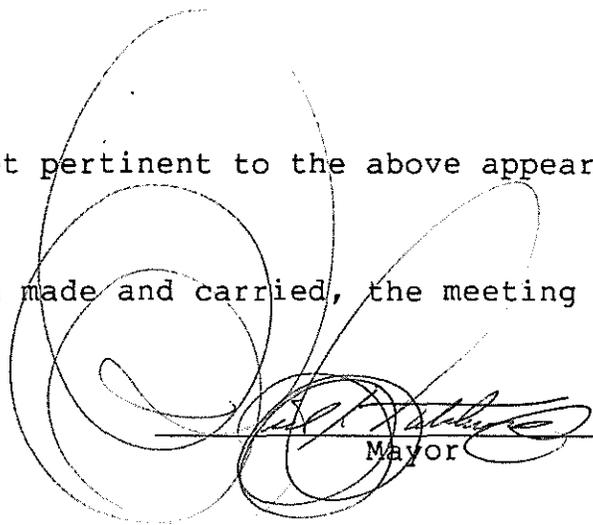
Attest:



City Clerk

(Other business not pertinent to the above appears in the minutes of the meeting.)

Pursuant to motion made and carried, the meeting adjourned.



Mayor

[AFFIX SEAL HERE]

Attest:

City Clerk