

RESOLUTION NO. 2020-01

A RESOLUTION OF HARNEY COUNTY SCHOOL DISTRICT NO. 3 (BURNS), HARNEY COUNTY, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE DISTRICT THE QUESTION OF CONTRACTING GENERAL OBLIGATION BONDED INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,000,000 TO FINANCE CAPITAL COSTS; AND RELATED MATTERS.

WHEREAS, the Board of Directors (the "Board") of Harney County School District No. 3 (Burns), located in Harney County, Oregon, (the "District") has determined that a need exists for the District to finance capital costs, as more fully described in the ballot title attached hereto as Exhibit A (the "Project") and pay bond issuance costs; and

WHEREAS, in connection with the Project, the District has evaluated the need for safety improvements, including the joint funding of safety improvements with other public and private entities and the funding of safety improvements in accordance with ORS 332.176; and

WHEREAS, the District applied for the Oregon School Capital Improvement Match (the "Match Program") and has received a \$4,000,000 million grant assuming voters approve the Bonds; and

WHEREAS, the costs of the Project from bond funds and issuance costs are estimated to be not more than \$8,000,000; and

WHEREAS, the District anticipates incurring expenditures (the "Expenditures") to finance the costs of the Project and wishes to declare its official intent to reimburse itself for any Expenditures it may make from its general funds on the Project from the proceeds of voter-approved general obligation bonds which may be issued as tax-exempt obligations; and

WHEREAS, ORS 328.205, as amended, subject to voter approval, authorizes the District to contract bonded indebtedness to provide funds to finance the costs of the Project and to pay bond issuance costs;

NOW, THEREFORE, the Board of Directors of Harney County School District No. 3 (Burns), located in Harney County, Oregon, resolves as follows:

1. The measure election is hereby called for the purpose of submitting to the electors of the District the question of contracting general obligation bonded indebtedness in the name of the District in an amount not to exceed \$8,000,000 (the "Bonds"). Bond proceeds will be used to finance the Project and pay all Bond issuance costs. The Bonds shall mature over a period of not more than thirty (30) years from the date of issue and may be issued in one or more series.

2. The measure election hereby called shall be held in the District on the 19th day of May, 2020. As authorized by the County Clerk of Harney County, Oregon, and the Oregon Secretary of State, the election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

3. The District authorizes the Chair, Superintendent, (each an "Authorized Representative") or his/her designee to submit the final ballot title and explanatory statement and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

4. The Authorized Representative shall cause to be delivered to the Election Officer of Harney County, Oregon (the "Election Officer") a ballot title in substantially the form attached hereto as Exhibit A (the "Ballot Title"), which shall be approved and filed by the Authorized Representative of the District on Form SEL 805, not later than February 28, 2020 (eighty (80) days prior to the election date). The Authorized Representative shall also cause to be delivered to the Election Officer Form SEL 803, not later than March 19, 2020 (sixty-one (61) days prior to the election date).

5. The District hereby declares its official intent pursuant to Treasury Regulation Section 1.150-2 to reimburse itself with the proceeds of the Bonds for any of the Expenditures incurred by it prior to the issuance of the Bonds.

6. The Authorized Representative is hereby authorized to execute all documents necessary in conjunction with the Match Program.

7. The law firm of Hawkins Delafield & Wood LLP, is hereby appointed to serve as Bond Counsel with respect to the issuance of the Bonds. D.A. Davidson & Co. is hereby appointed to serve as Underwriter or Placement Agent with respect to the issuance of the Bonds. The District will pay the fees and expenses of Bond Counsel and the Underwriter or Placement Agent from Bond proceeds.

ADOPTED by the Board of Directors of Harney County School District No. 3 (Burns), located in Harney County, Oregon this 11th day of February, 2020.

**HARNEY COUNTY SCHOOL DISTRICT NO. 3
(BURNS), HARNEY COUNTY, OREGON**

By:  _____
Chair, Board of Directors

ATTEST:

By:  _____
Superintendent

EXHIBIT A

BALLOT TITLE

**HARNEY COUNTY SCHOOL DISTRICT NO. 3 (BURNS)
HARNEY COUNTY, OREGON**

CAPTION: (10 WORD LIMIT)

Bonds to Improve Safety and Security, Renovate Schools

QUESTION: (20 WORD LIMIT)

(NOTE: Second sentence does not count towards 20 word limit, only the question counts towards 20 word limit.)

Shall Harney County School District issue \$8,000,000 in bonds and receive \$4,000,000 state grant to renovate schools? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

SUMMARY: (175 WORD LIMIT)

The District will receive a \$4,000,000 state grant only if these bonds are approved. Bond and grant funds are expected to finance:

- District-wide projects: security and HVAC upgrades, interior renovations and addressing of deferred maintenance;
- Elementary School projects: expansion of classrooms and the cafeteria;
- High School projects: classroom additions, remodel a portion of library to student space, a new gymnasium building, a concession stand, and a remodeling of the locker rooms;
- Site improvements, demolition, furnishing and equipment and bond issuance costs.

The District would establish a citizen oversight committee to ensure proceeds are used for purposes indicated.

Bonds would mature in not to exceed 30 years from issuance and may be issued in series. The incremental increase over the Fiscal Year 2020 bond tax rate is estimated to be \$0.45 per \$1,000 of assessed property value. The estimated tax rate is \$1.04 per \$1,000 of assessed property value. Actual levy rate may differ due to changes in interest rates and assessed value.