

BOND ELECTION ORDINANCE NO. 2019-01

AN ORDINANCE CALLING A GENERAL OBLIGATION BOND ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF MOSCOW, IDAHO, THE PROPOSITION FOR THE ISSUANCE OF NEGOTIABLE GENERAL OBLIGATION BONDS OF THE CITY OF MOSCOW, IDAHO, AND IN PROVIDING FOR THE ISSUANCE OF SUCH BONDS, THE LEVY OF A TAX TO PAY SUCH BONDS.

WHEREAS, certain improvements throughout the City of Moscow, Idaho (the "City"), are deemed by the members of the Council of the City (the "Council") to be required for the public good and welfare of the City; and

WHEREAS, the Council has determined and hereby deems it is necessary and advisable to finance certain capital improvements in the City for the purposes of acquisition, construction, remodeling, improvement or otherwise, of a new police station and other public buildings throughout the City, together with all necessary appurtenant facilities and equipment, including all necessary land therefor, pursuant to Section 50-1019(9), Idaho Code (collectively the "Projects"); and

WHEREAS, the City deems it necessary and advisable to issue general obligation bonds of the City in the aggregate amount of up to \$9,640,000, pursuant to the provisions of Sections 50-1019 and 50-1026, Idaho Code, and Chapter 2, Title 57, Idaho Code, to finance the Projects, and in order to do so desires to call an election to be held pursuant to Chapter 14, Title 34, Idaho Code, for electorate authorization of issuing bonds to finance each of the Projects.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Moscow, Idaho, as follows:

SECTION 1. That a general obligation bond election (the "Bond Election") is hereby called to be held in the City on Tuesday, May 21, 2019, for the purpose of submitting to the qualified electors of the City the propositions set forth in the form of ballot question hereinafter provided.

SECTION 2. That the City hereby determines that the outstanding amount of all bonded indebtedness of the City, including the bonds proposed under this Ordinance, will not exceed two percent (2%) of the market value for assessment purposes of all taxable property within the City on the tax rolls completed and available as of the date of the Bond Election.

SECTION 3. That pursuant to Section 34-1401, Idaho Code, the Clerk of Latah County, Idaho (the "County Clerk") shall administer the Bond Election, including scheduling the polling times; preparing and printing the ballots; publishing the notice of the Bond Election and the sample ballot; and conducting the Bond Election.

SECTION 4. That in compliance with Section 34-1406, Idaho Code, the Clerk of the City (the "City Clerk") shall notify the County Clerk that the Mayor and Council have called the Bond Election on behalf of the City by delivering to the County Clerk a copy of this Ordinance, including the forms of ballot question and notice of the Bond Election, as provided under SECTION 5 and SECTION 6 hereof.

SECTION 5. For purposes of the Bond Election, the Council hereby approves the form of ballot question as set forth below:

*****FORM OF BALLOT QUESTION*****

May 21, 2019

Shall the City of Moscow, Idaho, be authorized to issue and sell general obligation bonds in the principal amount of up to \$9,640,000 for the purposes of acquisition, construction, remodeling, improvement or otherwise, of a new police station and other public buildings throughout the City, together with all necessary appurtenant facilities and equipment, including all necessary land therefor; the bonds to be due in installments as fixed by the Mayor and Council of the City, the last installment to be due and payable not more than ten (10) years from the date of issue of such bonds, as provided in Ordinance No. 2019-01 adopted by the Council of the City on February 19, 2019?

The interest rate anticipated on the proposed bond issue, based upon current market rates, is two and twenty-one hundredths percent (2.21%) per annum. The total amount to be repaid over the life of such bonds, based on the anticipated interest, is \$10,849,800 consisting of \$9,640,000 in principal and \$1,209,800 of interest. The bonds shall mature no more than ten (10) years from the date of issuance thereof.

The estimated average annual cost to the taxpayer on the proposed bond is a tax of \$85 per \$100,000 of taxable assessed value based on current conditions and the data above.

As of May 21, 2019, the total existing indebtedness of the City, including interest accrued, is zero dollars (\$0.00).

IN FAVOR OF ISSUING BONDS TO THE AMOUNT OF \$9,640,000 FOR THE PURPOSES STATED IN ORDINANCE NO. 2019-01	<input type="checkbox"/>
AGAINST ISSUING BONDS TO THE AMOUNT OF \$9,640,000 FOR THE PURPOSES STATED IN ORDINANCE NO. 2019-01	<input type="checkbox"/>

*****End Form of Ballot Question*****

SECTION 6. For purposes of the Bond Election, the Notice of Bond Election shall be substantially in the following form:

*****FORM OF NOTICE OF GENERAL OBLIGATION BOND ELECTION*****

NOTICE OF GENERAL OBLIGATION BOND ELECTION

Pursuant to the laws of the State of Idaho and Ordinance No. 2019-01 of the Mayor and Council of the City of Moscow, Idaho (the "City"), adopted on February 19, 2019, notice is hereby given that a General Obligation Bond Election will be held in the City on Tuesday, May 21, 2019, beginning at the hour of 8:00 a.m. and closing at the hour of 8:00 p.m., for the questions of whether the City shall be authorized to issue and sell general obligation bonds up to the aggregate principal amount of \$9,640,000 for the purposes of acquisition, construction, remodeling, improvement or otherwise, of a new police station and other public buildings throughout the City, together with all necessary appurtenant facilities and equipment, including all necessary land therefor. The bonds shall be due in installments as fixed by the Mayor and Council of the City, the last installment to be due and payable not more than ten (10) years from the date of issuance of the bonds, as provided in Ordinance No. 2019-01 adopted by the Council of the City on February 19, 2019.

The following statements are required by Section 34-439, Idaho Code:

The projects to be financed by the sale of the proposed bonds are as set forth in the above Notice. The anticipated interest rate on the proposed bonds, based upon current market rates, is two and twenty-one hundredths percent (2.21%) per annum. The total amount to be repaid over the life of such bonds, based on the anticipated interest, is \$10,849,800 consisting of \$9,640,000 in principal and \$1,209,800 of interest. The bonds shall mature no more than ten (10) years from the date of issuance thereof.

The estimated average annual cost to the taxpayer on the proposed bond is a tax of \$85 per \$100,000 of taxable assessed value based on current conditions and the data above.

As of May 21, 2019, the total existing indebtedness of the City, including interest accrued, is zero dollars (\$0.00).

*****End Form of Notice of General Obligation Bond Election*****

SECTION 7. That if at the Bond Election two-thirds (2/3) 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 said bonds under the proposition, as certified by the County Clerk, the negotiable bonds of the City shall be issued as hereinabove provided and shall mature not more than ten (10) years from their date, and the annual bond maturities thereof shall be payable in accordance with the provisions of the Idaho Municipal Bond Law, Chapter 2, Title 57, Idaho Code. Such issue or issues will create new debt for the object of providing for the acquisition, construction, remodeling, improvement or otherwise, of the approved Projects, and to pay the costs of issuance of such bonds, in accordance with the


provisions of Section 50-1026, Idaho Code, payable from the proceeds of taxes and other available sources.

SECTION 8. That said negotiable general obligation bonds shall be issued if carried as aforesaid, and payment shall be made from available sources of revenue and through the levy of taxes in the City, beginning in the year that principal and interest payments are due, and continuing 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 establish and to constitute a sinking fund sufficient for the payment of the principal thereof as required by law, and it is hereby ordered that such taxes shall be levied annually at the time and in the manner as general taxes for the City are levied in each such year; provided, however, the aforementioned taxes shall never be diminished prior to payment of all 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 taxes so collected to the payment of such principal and interest.

SECTION 9. That, pursuant to the provisions of Sections 50-901 and 50-901A, Idaho Code, as amended, this Ordinance, or a summary thereof substantially in the form attached hereto as Exhibit "A," shall be published within one (1) month hereafter in an issue of *The Daily News*, the official newspaper of the City, and shall take effect and be in full force immediately upon its passage, approval and publication.

ADOPTED by the Council of the City of Moscow, Idaho, at a regular meeting thereof held this 19th day of February, 2019.

CITY OF MOSCOW, IDAHO

By: 
Bill Lambert, Mayor

(SEAL)

ATTEST:

By: 
Laurie M. Hopkins, City Clerk



EXHIBIT “A”

SUMMARY OF ELECTION ORDINANCE

CITY OF MOSCOW, IDAHO

Summary of Bond Election Ordinance No. 2019-01, passed February 19, 2019

AN ORDINANCE CALLING A GENERAL OBLIGATION BOND ELECTION TO BE HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY OF MOSCOW, IDAHO, THE PROPOSITION FOR THE ISSUANCE OF NEGOTIABLE GENERAL OBLIGATION BONDS OF THE CITY OF MOSCOW, IDAHO, AND IN PROVIDING FOR THE ISSUANCE OF SUCH BONDS, THE LEVY OF A TAX TO PAY SUCH BONDS.

A summary of the principal provisions of Bond Election Ordinance No. 2019-01 of the City of Moscow, Idaho (the “City”), adopted on February 19, 2019 (the “Election Ordinance”), is as follows:

Section 1. Calls for a general obligation bond election to be held in the City on Tuesday, May 21, 2019, for the purpose of submitting to the qualified electors of the City the proposition of the issuance of up to \$9,640,000 negotiable general obligation bonds of the City and to levy a tax to pay the bonds for the purposes of acquisition, construction, remodeling, improvement or otherwise, of a new police station and other public buildings throughout the City, together with all necessary appurtenant facilities and equipment, including all necessary land therefor, pursuant to Section 50-1019(9), Idaho Code (collectively, the “Projects”).

Section 2. Determines that the outstanding amount of all bonded indebtedness of the City upon issuance of the bonds will not exceed two percent (2%) of the market value for assessment purposes of all taxable property within the City on the date of the election.

Section 3. Provides that the Latah County Clerk shall administer the election in accordance with Idaho law.

Section 4. Provides that the City Clerk will notify the County Clerk that the election has been called and provide to the County Clerk a copy of the Election Ordinance with forms of ballot and notice.

Section 5. Provides the form of ballot question.

Section 6. Provides the form of notice of general obligation bond election.

Section 7. Provides authority to issue bonds upon successful passage of the election in accordance with the Idaho Municipal Bond Law in order to finance the approved Projects.

Section 8. Provides that said negotiable general obligation bonds shall be issued if carried as aforesaid, and payment shall be made from available sources of revenue and through the levy of taxes in the City, beginning in the year that principal and interest payments are due and continuing 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 to establish and to constitute a sinking fund sufficient for the payment of the principal thereof as required by law, and ordering that such taxes shall be levied annually at the time and in the manner as general taxes for the City are levied in each such year; provided, however, the aforementioned taxes shall never be diminished prior to payment of all 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 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 taxes so collected to the payment of such principal and interest.

Section 9. Providing for publication of the Election Ordinance or summary thereof in *The Daily News* within one (1) month after adoption, and that the Election Ordinance shall take effect and be in full force immediately upon its passage, approval and publication.

Exhibit "A": Sets forth this summary for publication. The complete text of the Election Ordinance is available in the office of the City Clerk at 206 East Third Street, Moscow, Idaho.

ADOPTED BY the Council of the City at a regular meeting held on February 19, 2019.

CITY OF MOSCOW, IDAHO

By: Bill Lambert
Bill Lambert, Mayor

ATTEST:

By: Laurie M. Hopkins
Laurie M. Hopkins, City Clerk



CERTIFICATION OF BOND COUNSEL

I, the undersigned Bond Counsel for City of Moscow, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 2019-01 of said City and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

DATED as of this _____ day of February, 2019.

HAWLEY TROXELL ENNIS & HAWLEY LLP

S.C. Danielle Quade