ORDINANCE NO. 334-2014

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO THE WASTEWATER TREATMENT FACILITIES OF THE CITY OF NEW MEADOWS, ADAMS COUNTY, IDAHO; CALLING A SPECIAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY THE QUESTION OF INCURRING AN INDEBTEDNESS AND ISSUING REVENUE BONDS IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $1,000,000 TO PAY A PORTION OF THE COST THEREOF; ESTABLISHING THE DATE AND TIME OF ELECTION; PROVIDING FOR PUBLIC NOTICE OF ELECTION; PROVIDING FOR REGISTRATION OF VOTERS; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of New Meadows, Adams County, Idaho (the "City"), is a municipal corporation duly organized and operating under the laws of the State of Idaho; and

WHEREAS, the City owns and operates a sanitary sewer system and collects rates, fees, and charges for the use of the system; and

WHEREAS, it has been determined by the Mayor and the City Council of the City (the "Council") to be necessary and essential to the health, safety, comfort, and welfare of the inhabitants of the City to acquire, construct, and install improvements and betterments to the sanitary sewer portion of the sanitary sewer system of the City and to incur an indebtedness therefor; and

WHEREAS, the Mayor and Council have determined to finance a portion of the cost of the construction and installation of the improvements through the issuance of revenue bonds of the City, pursuant to the provisions of the Revenue Bond Act of the State of Idaho, being Sections 50-1027 to 50-1042, inclusive, Idaho Code; and

WHEREAS, such revenue bonds cannot be issued without the assent of a majority of the qualified electors of the City voting in an election called for such purpose; and

WHEREAS, in order to authorize such revenue bonds, the Mayor and Council have determined to call a special municipal bond election for the aforesaid purposes as required by the Revenue Bond Act; and

WHEREAS, such election shall be conducted by Adams County, Idaho (the "County), as provided by law.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NEW MEADOWS, Adams County, Idaho, as follows:

Section 1: THE PROJECT

A. The Mayor and Council hereby find, determine, and declare that it is necessary and essential to the public interest, health, safety, and welfare that the City acquire and construct certain capital improvements and betterments to the sanitary sewer system of the City, consisting generally of, but not limited to, building a storage lagoon for effluent to be sorted until applied to nearby arable land and related improvements, together with costs of engineering, legal, accounting, and other necessary professional services, costs of bond issuance, interest on borrowed funds during construction, and costs incidental thereto (the "Project").

B. The cost and expense of the acquisition, construction, and installation of the Project is estimated by the engineers of the City to be $1,000,000, including the payment of all preliminary expenses incurred and incident to the Project and properly incident to the issuance of the bonds as such expenses are set forth in the Revenue Bond Act, and including payment of interest on such bonds during the period to be covered by the acquisition and construction of the improvements as described in subparagraph A above.

C. Subject to the following subparagraph, the acquisition, construction, and installation of the improvements, as described in subparagraph A, above, are hereby ordered.

D. Subject to the approval of the incurring of indebtedness and the issuance of revenue bonds therefor by the qualified electors voting at the election for which provision is hereinafter made, revenue bonds of the City shall be issued pursuant to the provisions of the Revenue Bond Act, being Idaho Code Sections 50-1027 to 50-1042, inclusive, in a principal amount not to exceed $1,000,000 to pay a portion of the costs of the Project. The remainder of the costs, if any, will be paid from grants and other lawfully available funds of the City.

Section 2: SPECIAL ELECTION

A special municipal bond election is hereby called to be held within the City of New Meadows on Tuesday, May 20, 2014, for the purpose of voting upon the proposition set forth in Section 4 of this Ordinance. The polling place or places for the special bond election shall be determined by the Adams County Clerk, and the election shall be conducted by the Adams County Clerk. The Adams County Clerk shall appoint election judges and election clerks for the polling place or places for the special bond election.

Section 3: ADMINISTRATION OF ELECTION

The polls of the special bond election shall open at the hour of 8:00 o'clock A.M. on May 20, 2014, and shall remain open continuously until the hour of 8:00 o'clock P.M., at which time the polls shall be closed. The administration of the election shall be conducted by Adams County in accordance with Chapter 4 of Title 50, Idaho Code, Title 34 of Idaho Code, and this Ordinance.

The ballot proposition to be voted upon at the special bond election, as set forth in Section 4 of this Ordinance, shall be separate from any other proposition being voted upon at or in conjunction with any other election being held and conducted on the same date. Only those qualified electors of the City casting valid ballots upon the proposition set forth in Section 4 of this Ordinance shall be counted in determining the number of qualified electors voting at or participating in the special bond election.

Section 4: BALLOT PROPOSITION

The ballot proposition for the special bond election shall be in substantially the following form:

CITY OF NEW MEADOWS
Adams County, Idaho

SPECIAL BOND ELECTION
MAY 20, 2014

SHALL THE CITY OF NEW MEADOWS BE AUTHORIZED TO INCUR AN INDEBTEDNESS AND TO ISSUE AND SELL ITS REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED $1,000,000 TO PAY A PORTION OF THE COSTS OF ACQUIRING AND CONSTRUCTING IMPROVEMENTS AND BETTERMENTS TO THE SANITARY SEWER SYSTEM OF THE CITY, THE BONDS TO MATURE OVER A PERIOD WHICH MAY BE LESS THAN BUT WHICH SHALL NOT EXCEED FORTY (40) YEARS AND TO BE PAYABLE SOLELY FROM THE REVENUES OF THE SANITARY SEWER SYSTEM OF THE CITY, ALL AS MORE FULLY PROVIDED IN ORDINANCE NO. 334-2014, ADOPTED ON MARCH 10, 2014.

IN FAVOR OF issuing revenue bonds for the
purposes provided by Ordinance No. 334-2014 .. . . . . [ ]

AGAINST the issuance of revenue bonds for the
purposes provided by Ordinance No. 334-2014 . . . . . [ ]

The following information is required by Section 34-439, Idaho Code:

The purpose for which the proceeds of the bonds will be used is to build a storage lagoon for effluent to be sorted until applied to nearby arable land and related improvements to the wastewater treatment facilities of the city. The anticipated interest rate on the proposed bonds is 3.0% per annum. The range of anticipated rates is from 1.0% to 4.5% per annum. The total proposed principal amount to be repaid over the 40-year life of the bonds is $1,000,000; the total interest anticipated to be paid over the life of the bonds, based on the anticipated interest rate, is $723,866; the total amount to be repaid over the life of the bonds is $1,723,866. The City has existing bonded indebtedness, including interest accrued to the date of election, of $544,163, which is payable from the net revenues of the water and sewer system of the City.

Section 5: QUALIFIED ELECTORS

Every person eighteen (18) years of age or older, who at the time of the specified bond election is a United States citizen who has been a legal and bona fide resident of the City for at least thirty (30) days immediately preceding the date of the election, if properly registered as required by law, shall be qualified to vote at said election.

All electors must be registered before being able to vote at the special bond election. The Adams County Clerk is the registrar for the City, and voter registration shall be conducted pursuant to the provisions of Section 34-1402, Idaho Code.

Persons may register at the office of the Adams County Clerk, Adams County Courthouse, New Meadows, Idaho, on any business day during office hours, until April 25, 2014. Any elector who will complete his or her residence requirement or attain the requisite voting age

on or prior to the date of election, but during the period when the register of electors is closed, may register prior to the closing of the register.

Any person who is eligible to vote may register on election day by appearing in person at the polling place established for the election, by completing a registration card, making an oath on the form prescribed by law, and providing proof of residence in the manner provided by Section 34-408A, Idaho Code, as amended.

Section 6: BALLOTS

The Adams County Clerk shall cause the official ballot for the special bond election to be prepared in a sufficient quantity for the special bond election.

Section 7: NOTICE

Notice of the special bond election shall be given prior to the election by publishing notice of the election in the official newspaper of the City, the first publication being at least twelve (12) days prior to the election, the last publication to be not less than five (5) days prior to the special bond election. In accordance with Section 34-602, Idaho Code, as amended, the second publication of the notice of election shall be accompanied by a facsimile of the sample ballot for the special bond election.

Section 8: CANVASS

When the polls are closed, the election officials shall immediately proceed to count the ballots cast at the special bond election. The counting shall be continued without adjournment until completed and the result declared. The election judge and clerks shall thereupon certify the returns of the special bond election to the County Clerk, who shall present the results to the County Commissioners.

The Board of County Commissioners shall meet within ten (10) days following the election, or at such time to which said meeting is continued, for the purpose of canvassing the results of the special bond election. The County Clerk shall thereupon certify the election results to the City Clerk. The results shall then be entered in the minutes of the City Council and proclaimed as final.

Section 9: DEBT DISCLOSURE STATEMENT

A brief official statement containing the information required by Idaho Code § 34-439, as amended, shall be prepared by the City Treasurer.

Section 10: REVENUE BONDS

If, at the special bond election, a majority of the qualified electors of the City voting upon the ballot question set forth in Section 4 of this Ordinance vote in favor of incurring of indebtedness and the issuance of revenue bonds for the purposes set forth herein and designated on the aforesaid ballot, fully registered revenue bonds of the City shall be authorized, issued, sold, and delivered. The bonds shall be issued in the form and manner, shall be registered, shall mature annually over a period which may be less than but which shall not exceed forty (40) years, shall bear interest at a rate or rates to be determined by the Council at the time of issuance of such bonds, and shall be payable annually or at such lesser intervals and be subject to such

redemption provisions, as may be prescribed by the ordinance authorizing the issuance of the bonds, all of which shall be in accordance with the laws of the State of Idaho.

The net revenues (gross revenues minus normal expenses of maintenance and operation) of the sanitary sewer system of the City will be pledged for the payment of principal of and interest and redemption premiums, if any, on the revenue bonds, as shall be determined by the Mayor and Council. The bonds shall not be a debt of the City within the meaning of any State constitutional provision or statutory limitation, nor a charge against the general credit or taxing powers of the City, and the City shall not be liable therefor out of its general revenues, nor shall the bonds or the interest thereon be payable out of any funds other than the revenues specified above.

Section 11: OFFICERS AUTHORIZED

The officers of the City and Adams County are hereby authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance.

Section 12: RATIFICATION

All actions heretofore taken, not inconsistent with the provisions of this Ordinance, by the Mayor and Council and other City officials directed toward construction and installation of the Project and the issuance of revenue bonds of the City therefor, and for the holding of a special bond election, are hereby ratified, approved, and confirmed.

Section 13: PUBLICATION

This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

DATED this 10th day of March, 2014.

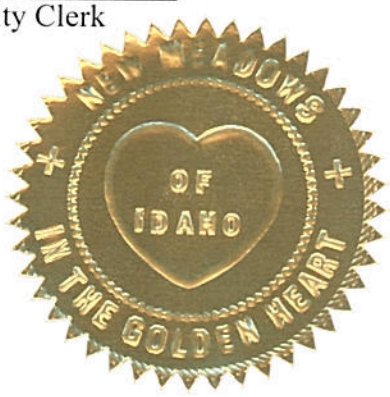
CITY OF NEW MEADOWS
Adams County, Idaho

Julie Spelman, Mayor

ATTEST:

Jacob Qualls, City Clerk

(S E A L)



SUMMARY OF
ORDINANCE NO. 334-2014

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A summary of the principal provisions of Ordinance No. 334-2014 of the City of New Meadows, Adams County, Idaho, adopted on March 10, 2014, is as follows:

Section 1: Defines the wastewater treatment facility improvement project, estimates the total cost, and provides for issuance of revenue bonds, subject to approval of the qualified electors of the City, in an amount not to exceed $1,000,000 to pay a portion of the cost of the Project.

Section 2: Provides for a special bond election to be held within the City on Tuesday, May 20, 2014, for the purpose of enabling the qualified electors of the City to vote upon the proposition of issuing sewer revenue bonds.

Section 3: Provides that the polls of the special bond election shall open at 8:00 o'clock A.M. on May 20, 2014, and shall remain open until 8:00 o'clock P.M., and provides for the polling places for the special bond election.

Section 4: Provides that the ballot proposition shall be substantially as follows:

> SHALL THE CITY OF NEW MEADOWS BE AUTHORIZED TO INCUR AN INDEBTEDNESS AND TO ISSUE AND SELL ITS REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED $1,000,000 TO PAY A PORTION OF THE COSTS OF ACQUIRING AND CONSTRUCTING IMPROVEMENTS AND BETTERMENTS TO THE SANITARY SEWER SYSTEM OF THE CITY, THE BONDS TO MATURE OVER A PERIOD WHICH MAY BE LESS THAN BUT WHICH SHALL NOT EXCEED FORTY (40) YEARS AND TO BE PAYABLE SOLELY FROM THE REVENUES OF THE SANITARY SEWER SYSTEM OF THE CITY, ALL AS MORE FULLY PROVIDED IN ORDINANCE NO.334-2014, ADOPTED ON MARCH 10, 2014?

Section 5: Defines qualified electors as persons eighteen (18) years of age or older who are United States citizens who have resided in the City for at least thirty days prior to the election and who are registered as provided by law, and provides for registration of voters.

Section 6: Provides for preparation of the official ballot.

Section 7: Provides for publication of Notice of Special Bond Election.

Section 8: Provides for canvass of votes.

Section 9: Provides for Debt Disclosure Statement pursuant to Idaho Code § 34-439.

Section 10: Provides for the issuance of revenue bonds maturing over a period which may be less than but which shall not exceed forty (40) years, and provides for other matters relating to the revenue bonds.

Section 11: Authorizes the officers of the City and Adams County to take appropriate actions to effectuate the provisions of this Ordinance.

Section 12: Ratifies previous actions.

Section 13: Provides for publication of a summary of the Ordinance.

The full text of Ordinance No. 334-2014 is available at New Meadows City Hall and will be provided to any citizen upon personal request during normal office hours.

CITY OF NEW MEADOWS
Adams County, Idaho

Julie Spelman, Mayor

ATTEST:

Jacob Qualls, City Clerk

CERTIFICATION OF ATTORNEY

I, the undersigned attorney at law and Special Counsel to the City of New Meadows, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 334-2014 of the City of New Meadows and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated as of the 10th day of March, 2014.

Attorney at Law

SUMMARY OF

ORDINANCE NO. 334-2014

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Section 5: Defines qualified electors as persons eighteen (18) years of age or older who are United States citizens who have resided in the City for at least thirty days prior to the election and who are registered as provided by law, and provides for registration of voters.

Section 6: Provides for preparation of the official ballot.

EXHIBIT "A"

Section 7: Provides for publication of Notice of Special Bond Election.

Section 8: Provides for canvass of votes.

Section 9: Provides for Debt Disclosure Statement pursuant to Idaho Code § 34-439.

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Section 11: Authorizes the officers of the City and Adams County to take appropriate actions to effectuate the provisions of this Ordinance.

Section 12: Ratifies previous actions.

Section 13: Provides for publication of a summary of the Ordinance.

The full text of Ordinance No. 334-2014 is available at New Meadows City Hall and will be provided to any citizen upon personal request during normal office hours.

CITY OF NEW MEADOWS
Adams County, Idaho

Julie Spelman, Mayor

ATTEST:

Jacob Qualls, City Clerk

EXHIBIT "A"

CERTIFICATION OF ATTORNEY

I, the undersigned attorney at law and Special Counsel to the City of New Meadows, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 334-2014 of the City of New Meadows and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated as of the 10th day of March, 2014.

Attorney at Law

Publisher's Affidavit of Publication

STATE OF IDAHO } .ss

County of Valley

I, Kim C. Drake, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of one week in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began March 13, 2014 and ended March 13, 2014.

Kim C. Drake

Subscribed and sworn before me this the 13th day of March, 2014.
STATE OF IDAHO

COUNTY OF VALLEY }

On this 13th day of March in the year of 2014, before me, a Notary Public, personally appeared Kim C. Drake, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/18

SUMMARY OF ORDINANCE NO. 334-2014

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Section 9: Provides for Debt Disclosure Statement pursuant to Idaho Code § 34-439.

Section 10: Provides for the issuance of revenue bonds maturing over a period which may be less than but which shall not exceed forty (40) years, and provides for other matters relating to the revenue bonds.

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Section 12: Ratifies previous actions.

Section 13: Provides for publication of a summary of the Ordinance.

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Adams County, Idaho
Julie Spelman, Mayor
ATTEST: Jacob Qualls, City Clerk. 1tc3/13