



City Council Regular Meeting Agenda

Monday, April 03, 2023, 7:00 PM

Council Chambers, 616 NE 4th AVE

NOTE: The City welcomes public meeting citizen participation. TTY Relay Service: 711. In compliance with the ADA, if you need special assistance to participate in a meeting, contact the City Clerk's office at (360) 834-6864, 72 hours prior to the meeting so reasonable accommodations can be made (28 CFR 35.102-35.104 ADA Title 1)

To observe the meeting (no public comment ability)

- go to www.cityofcamas.us/meetings and click "Watch Livestream" (left on page)

To participate in the meeting (able to public comment)

- go to <https://us06web.zoom.us/j/86142615087>

(public comments may be submitted to publiccomments@cityofcamas.us)

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS

This is the public's opportunity to comment about any item on the agenda, including items up for final Council action.

CONSENT AGENDA

NOTE: Consent Agenda items may be removed for general discussion or action.

1. Automated Clearing House and Claim Checks Approved by Finance Committee
2. [Camas City Council March 20, 2023 Workshop and Regular Meeting Minutes Approval](#)
3. [\\$93,798.25 AA Asphaltting LLC 2023 Cemetery Paving Bid Award with up to 10% change order authorization \(James Carothers, Engineering Manager\)](#)

NON-AGENDA ITEMS

4. Staff
5. Council

MAYOR

6. Mayor Announcements
7. City Clerk Appointment

8. [Council Appointments](#)
9. [Child Abuse Prevention Month Proclamation](#)
10. [Community Development Block Grant Week Proclamation](#)
11. [National Public Safety Telecommunicators Week Proclamation](#)

MEETING ITEMS

12. [Resolution No. 23-002 Adopting a Reserve Balance Policy](#)
[Presenter: Cathy Huber Nickerson, Finance Director](#)
[Time Estimate: 5 minutes](#)
13. [Ordinance No. 23-003 Limited General Obligation Bond 2023](#)
[Presenter: Cathy Huber Nickerson, Finance Director](#)
[Time Estimate: 5 minutes](#)

PUBLIC COMMENTS

CLOSE OF MEETING



City Council Workshop Minutes - Draft
Monday, March 20, 2023, 4:30 PM
Council Chambers, 616 NE 4th AVE

NOTE: Please see the published Agenda Packet for all item file attachments

CALL TO ORDER

Mayor Steve Hogan called the meeting to order at 4:30 p.m.

ROLL CALL

Present: Council Members Marilyn Boerke, Bonnie Carter, Don Chaney, Leslie Lewallen, and Jennifer Senescu

Remote: Council Member John Nohr (departed at 5:05 p.m.)

Excused: Council Member Tim Hein

Staff: Heidi Bealer, Tony Collver, Carrie Davis, Cliff Free, Cathy Huber Nickerson, Michelle Jackson, Mitch Lackey, Trang Lam, Alan Peters, Doug Quinn, Bryan Rachal, Connie Urquhart, and Steve Wall

Press: No one from the press was present

PUBLIC COMMENTS

No members of the public commented.

WORKSHOP TOPICS

1. Community Survey 2022
Presenter: Bryan Rachal, Communications Director and Jason Morado, ETC Institute Consultant

Morado provided an overview of the survey results. Discussion ensued. This item was for Council's information only.
2. 2023 Limited General Obligation Bond Draft Ordinance
Cathy Huber Nickerson, Finance Director

Huber Nickerson provided an overview of the proposed ordinance. Discussion ensued. This item will be placed on the April 3, 2023 Regular Meeting Agenda for Council's consideration.
3. Staff Miscellaneous Updates
Doug Quinn, City Administrator

Lackey commented about the Camas School District's (CSD) 2023-2024 proposed budget reduction of one School Resource Officer (SRO). Discussion ensued.

Free commented about the City's Request for Qualifications (RFQ) for design services related to Fire Station 41.

Wall commented about the newly proposed limits for parts per trillion (PPT) of Polyfluoroalkyl Substance (PFAS) in drinking water by the Environmental Protection Agency (EPA).

Rachal commented on the City's Social Media Guidelines Policy. This item was referred to the Equity Committee for future consideration.

COUNCIL COMMENTS AND REPORTS

Carter commented about the library roof project, the next Joint Policy Advisory Committee (JPAC) meeting, invited the public to the Library Centennial Celebration on April 4, 2023, and the Port of Camas-Washougal Building 20 ribbon-cutting event on April 14, 2023.

Senescu commented about meetings with City department heads, scheduling the Ward 3 Town Hall, and the Downtown Camas Association (DCA) merchant meeting on March 21, 2023.

Mayor Hogan commented about Joint Policy Advisory Committee (JPAC) meeting to discuss the Camas-Washougal Fire Interlocal Agreement (ILA).

PUBLIC COMMENTS

Wayne Pattison, Camas, commented about the City's budget and the utility tax.

John Ley commented about the Community Survey and the General Obligation (GO) Bond.

Stephen Dabasinskas, Camas, commented about the GO Bond.

CLOSE OF MEETING

The meeting closed at 5:57 p.m.



City Council Regular Meeting Minutes - Draft
Monday, March 20, 2023, 7:00 PM
Council Chambers, 616 NE 4th AVE

NOTE: Please see the published Agenda Packet for all item file attachments

CALL TO ORDER

Mayor Steve Hogan called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Council Members Marilyn Boerke, Bonnie Carter, Don Chaney, Leslie Lewallen, John Nohr, and Jennifer Senescu

Excused: Council Member Tim Hein

Staff: Heidi Bealer, Tony Collver, Carrie Davis, Cliff Free, Jennifer Gorsuch, Cathy Huber Nickerson, Trang Lam, Shawn MacPherson, Robert Maul, Alan Peters, Doug Quinn, and Bryan Rachal

Press: No one from the press was present

PUBLIC COMMENTS

This is the public's opportunity to comment about any item on the agenda, including items up for final Council action.

Randal Friedman, Camas, commented about the public comment process.

Brian Wiklem, Camas, commented about the Certificate of Insufficiency notification from Greg Kimsey, Clark County Auditor.

Mike Hamilton commented about an editorial in the Camas-Washougal Post Record and the City's budgeting process.

Anna Waendelin, Camas, commented about the utility tax, the use of consultants, and Crown Park.

CONSENT AGENDA

1. Camas City Council March 6, 2023 Workshop and Regular Meeting Minutes
2. \$912,465.70 Automated Clearing House and Claim Checks numbered 153532-153675
3. Final Plat Approval for Firestone Ridge Subdivision (Submitted by Lauren Hollenbeck, Senior Planner)

4. \$167,838.22 for February 2023 Emergency Medical Services (EMS) Write-off Billings; \$150,644.62 for Monthly Uncollectable Balance of Medicare and Medicaid Accounts and \$17,193.60 for Ground Emergency Medical Transport funding.
(Submitted by Cathy Huber Nickerson, Finance Director)

It was moved by Carter, and seconded, to approve the Consent Agenda. The motion carried unanimously.

NON-AGENDA ITEMS

5. Staff Miscellaneous Updates

Quinn commented about the Certificate of Insufficiency received from Greg Kimsey, Clark County Auditor.

6. Council

No one from the Council commented.

MAYOR

7. Mayor Announcements

Mayor Hogan commented about a future Joint Policy Advisory Committee (JPAC) meeting to discuss the Camas-Washougal Fire Department (CWFD) Interlocal Agreement (ILA).

MEETING ITEMS

8. 2022-2025 Collective Bargaining Agreement between the City of Camas and Camas Public Employees Association (CPEA)
Presenter: Jennifer Gorsuch, Administrative Services Director

It was moved by Carter, and seconded, to approve the 2022-2025 Collective Bargaining Agreement as presented and authorize the Mayor and City Administrator to sign this 4-year agreement. The motion carried unanimously.

PUBLIC COMMENTS

John Ley commented about the Camas Public Employees Association's (CPEA) Collective Bargaining Agreement.

CLOSE OF MEETING

The meeting closed at 7:21 p.m.



Staff Report – Consent Agenda

April 3, 2023 Council Regular Meeting

\$93,798.25 AA Asphaltting LLC 2023 Cemetery Paving Bid Award with up to 10% change order authorization (James Carothers, Engineering Manager)

Phone	Email
360.817. 7230	jcarothers@cityofcamas.us

BACKGROUND: The Camas Cemetery, located at 630 NE Oak Street, has been owned and operated by the City since 2007. The Cemetery roads are deteriorated. The asphalt is uneven due to tree roots. Dirt and grass have encroached into the road over time. Settlement is creating birdbaths and other drainage issues. Last year the roads east of Cemetery Road were cleaned of debris and pre-leveled prior to receiving a 2-inch asphalt overlay.

SUMMARY: The 2023 budget includes \$100,000 from the general fund for similar roadway remediation of the west half of the Cemetery. Five construction bids were submitted at the March 22, 2023 bid opening. The low bidder was AA Asphaltting LLC in the amount of \$93,798.25. Staff finds that the low bid is reasonable and recommends bid award.



Pavement Condition Sample

BENEFITS TO THE COMMUNITY: Patrons of the Cemetery have voiced their appreciation of last year’s road restoration work, citing smoother surfaces on which to walk and improved aesthetics. The City Operations crew has also reported easier access and maintenance. This year’s contract will improve the remaining Cemetery roads. These improvements align with the goals of the Asset Management program.

POTENTIAL CHALLENGES: Construction of this project may cause minor cemetery operations schedule conflicts and minor traffic delays. Construction is expected to last one day within working hours. Engineering staff will coordinate with the contractor and Camas Cemetery staff to schedule work at a time that will be less disruptive to patrons.

BUDGET IMPACT: The AA Asphaltting LLC bid is below the \$100,000 budget. When 10% is applied the award amount could be as high as \$103,180. If construction costs exceed the budgeted amount, staff will address the additional expenditures in an upcoming omnibus.

RECOMMENDATION: Staff recommends Council award this bid.



I, James E. Carothers, Engineering Manager, hereby certify that these bid tabulations are correct.

James E. Carothers 3-22-23
 James E. Carothers, PE Date

Item 3.

PROJECT NO. P1039				Engineer's Estimate:		AA Asphaltting LLC		Lakeside Industries		Granite Construction Company		Karvonen Sand & Gravel		Clark & Sons Excavating	
DESCRIPTION: 2023 Cemetery Paving				\$101,122.00 (sales tax included)		14720 Puyallup St Sumner WA 98390 253.939.0214 jason.schaper@aaasphaltting.com		PO Box 820465 Vancouver, WA 98662 360.892.5410 johnny.escobedo@lakesideindustries.com		16821 SE McGillivray Blvd Ste 210B Vancouver, WA 98683 360.831.5529 bid.vancouver@gcinc.com		PO Box 3130 Battle Ground, WA 98604 360.687.2549 neil@ksginc.biz		7601 NE 289th St Battle Ground, WA 98604 360.946.8474 josh.clarkandsons@gmail.com	
DATE OF BID OPENING: March 22, 2023, 10:00am				Ent. By KJ											
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT PRICE	ENGRG TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL
1	Minor Changes (minimum bid \$5,000)	LS	1.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
2	Construction Documentation	LS	1.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
3	Mobilization	LS	1.00	\$8,000.00	\$8,000.00	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$9,040.00	\$9,040.00	\$5,000.00	\$5,000.00	\$5,300.00	\$5,300.00
4	Project Temporary Traffic Control	LS	1.00	\$2,500.00	\$2,500.00	\$1,100.00	\$1,100.00	\$4,300.00	\$4,300.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$835.00	\$835.00
5	HMA 1/2" PG 64-22 (2 inch depth)	TON	530.00	\$140.00	\$74,200.00	\$135.00	\$71,550.00	\$133.00	\$70,490.00	\$135.00	\$71,550.00	\$135.00	\$71,550.00	\$165.00	\$87,450.00
6	Erosion Control & Water Pollution Control	LS	1.00	\$500.00	\$500.00	\$550.00	\$550.00	\$400.00	\$400.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$1,150.00	\$1,150.00
7	Roadside Restoration (min bid \$1000)	EA	1.00	\$1,000.00	\$1,000.00	\$3,750.00	\$3,750.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00
Subtotal					\$93,200.00		\$86,450.00		\$88,190.00		\$90,090.00		\$92,550.00		\$102,735.00
Washington State Sales Tax (8.5%)					\$7,922.00		\$7,348.25		\$7,496.15		\$7,657.65		\$7,866.75		\$8,732.48
TOTAL CONSTRUCTION COST					\$101,122.00		\$93,798.25		\$95,686.15		\$97,747.65		\$100,416.75		\$111,467.48
Basis of Award															

COUNCIL APPOINTMENTS 2023

Item 8.

Board/ Committee/ Commission	Full Name	Position
C-TRAN	Tim Hein	Representative
	Jennifer Senescu	Alternate
City/School Committee	Don Chaney	Representative
	Marilyn Boerke	Representative
	Leslie Lewallen	Representative
Clark Regional Emergency Services Agency (CRESA)	Don Chaney	Representative
Columbia River Economic Development Council (CREDC)	Steve Hogan	Appointed
	Doug Quinn	Alternate
Council Policies & Procedures Ad Hoc Committee	Don Chaney	Representative
	Marilyn Boerke	Representative
CW Chamber of Commerce	Leslie Lewallen	Representative
	Tim Hein	Alternate
Design Review Committee	Leslie Lewallen	Representative
	Bonnie Carter	Alternate
Downtown Camas Association	Marilyn Boerke	Liaison
	Leslie Lewallen	Alternate
East County Ambulance Advisory Board (ECAAB)	John Nohr	Representative
	Don Chaney	Alternate
Economic Development Strategy Committee for Economic Incentives	Don Chaney	Representative
	Tim Hein	Representative
	Jennifer Senescu	Representative
Equity, Diversity, Inclusion	Bonnie Carter	Representative
	Marilyn Boerke	Representative
	Leslie Lewallen	Representative
Finance Committee	Don Chaney	Representative
	Tim Hein	Representative
	Bonnie Carter	Representative
Fire - Joint Policy Advisory Committee (JPAC)	Don Chaney	Representative
	John Nohr	Representative
	Bonnie Carter	Representative

Fire/Emergency Medical Services Partnership	John Nohr	Representative	Item 8.
	Steve Hogan	Representative	
GP Mill Advisory Committee	Steve Hogan	Representative	
GP Mill Clean-Up Advisory Committee	Jennifer Senescu	Representative	
	Leslie Lewallen	Representative	
Homelessness Strategy Ad Hoc Committee	Bonnie Carter	Representative	
	Marilyn Boerke	Representative	
	Leslie Lewallen	Representative	
LEOFF Disability Board	Marilyn Boerke	Representative	
	John Nohr	Representative	
Library Board	Bonnie Carter	Representative	
	Marilyn Boerke	Alternate	
Lodging Tax Advisory Committee	Marilyn Boerke	Representative	
Mayor Pro-Tem	Don Chaney	Appointed	
Parks & Recreation Commission	Leslie Lewallen	Liaison	
	Tim Hein	Alternate	
Planning Commission	Leslie Lewallen	Liaison	
	Jennifer Senescu	Alternate	
Port of Camas-Washougal	Bonnie Carter	Liaison	
	Leslie Lewallen	Alternate	
Regional Transportation Council (RTC) (C-W 2022-23 Representative)	Leslie Lewallen	Representative	
	<i>City of Washougal</i> Janie Killion	Alternate	
Sister Cities Committee	Tim Hein	Representative	
	Marilyn Boerke	Alternate	
Urban County Policy Board (CDBG Advisory)	Steve Hogan	Representative	

~ PROCLAMATION ~

WHEREAS, the City of Camas prides itself on contributing to the quality of life for its citizens; and

WHEREAS, children are vital to the City's future success and prosperity, as well as being our most vulnerable assets; and

WHEREAS, child abuse and neglect are serious problems affecting every segment of society, and finding solutions requires input and action from everyone in our community; and

WHEREAS, the members of the General Federation of Women's Club Camas-Washougal desire to help raise awareness of child abuse and promote healthy childhoods; and

WHEREAS, all children deserve to have the safe, stable, nurturing homes and communities they need to foster healthy growth and development; and

WHEREAS, in April, all communities are encouraged to join the national effort to raise awareness for those children who are victims of child abuse and neglect; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promoting the social and emotional well-being of children and families;

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim April 2023, as:

“Child Abuse Prevention Month”

in the City of Camas and urge all citizens to join the effort to raise awareness and help prevent child abuse.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 4th day of April 2023.

Steve Hogan, Mayor

~ PROCLAMATION ~

WHEREAS, Community Development Week is the time of year when we highlight the impact the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Program have in our communities; and

WHEREAS, the CDBG Program has considerable flexibility to allow communities to carry out activities that are tailored to their unique housing, community, and neighborhood revitalization needs; and

WHEREAS, in Clark County, CDBG funding of over \$1.0 million annually has been received since 1985 and has provided affordable housing and housing rehabilitation; neighborhood revitalization; human service needs; construction or expansion of community facilities and shelters; and physical redevelopment throughout the County; and

WHEREAS, The City of Camas has applied for and received over \$7.0 million in CDBG funds since 1985, resulting in over 40 infrastructure projects benefiting the citizens of Camas with a total combined value of over \$12.0 million; and

WHEREAS, the City of Camas and other local governments have demonstrated the capacity to administer and customize the CDBG program to identify and resolve pressing local problems, such as neighborhood infrastructure and social service needs, job creation and retention, and affordable housing;

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim April 9-15, 2023, as:

“Community Development Block Grant Week”

in the City of Camas and urge citizens to join in recognizing the positive impacts of both the Community Development Block Grant and HOME Investment Partnerships Program and the importance it serves to our community.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 4th day of April 2023.

Steve Hogan, Mayor

~ PROCLAMATION ~

WHEREAS, emergencies can occur at any time that require police, fire, or emergency medical services; and

WHEREAS, the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Clark Regional Emergency Services Agency emergency communications center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Telecommunicators are the vital link for our police officers and firefighters by monitoring their activities by radio, providing them information, and ensuring their safety; and

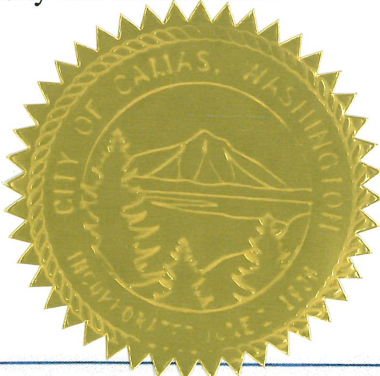
WHEREAS, Public Safety Telecommunicators of the Clark Regional Emergency Services Agency has contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and

WHEREAS, dispatchers exhibit compassion, understanding, and professionalism while performing their role;

NOW THEREFORE, I, Steve Hogan, Mayor of the City of Camas, do hereby proclaim April 9-15, 2023, as:

“National Public Safety Telecommunicators Week”

in the City of Camas in honor of the men and women whose diligence and professionalism keep our city and citizens safe.



In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 3rd day of April 2023.

Steve Hogan, Mayor



Staff Report

April 3, 2023 Council Regular Meeting

Resolution 23-002 Adopting a Reserve Balance Policy

Presenter: Cathy Huber Nickerson, Finance Director

Time Estimate: 5 minutes

Phone	Email
360.817.1537	chuber@cityofcamas.us

BACKGROUND: This resolution updates a Reserve Balance Policy for the City.

SUMMARY: The City’s current policy states:

General Fund Balance

Goal: *The General Fund will strive to maintain a fund balance of 17% of budgeted General Fund expenditures.*

To mitigate current and future revenue shortfalls, unanticipated expenditures, and cash flow needs due to the General Fund dependence on property taxes, an adequate fund balance in the General Fund will be maintained. The projected fund balance at year end is expected to remain 17% of annual budgeted General Fund expenditures.

The attached policy recommends a more comprehensive approach to fund balance which is more in compliance with the Government Finance Officers Association of best practices and with Standard and Poors’ recommendation to the City.

BENEFITS TO THE COMMUNITY: This policy is in line with City Council’s goal to update the current fund balance policy as identified in the City’s Strategic Plan.

POTENTIAL CHALLENGES: Future economic downturns the proposed policy may put pressure on future budgets but in the long term may enhance liquidity.

BUDGET IMPACT: Currently, the City has budgeted within an informal policy of 22% for the General Fund.

RECOMMENDATION: Staff recommends City Council move to approve Resolution 23-002 Adopting a Reserve Fund Balance Policy.

RESOLUTION NO. 23-002

A RESOLUTION of the City Council of the City of Camas, Washington, adopting a Reserve Balance Policy.

WHEREAS, the Council finds that maintaining an adequate level of reserves would act to ensure the financial stability of the City and allow the City effectively plan for cash funded needs and maintain strong bond ratings, as well as address potential shortfalls related to economic downturns or other contingencies; and

WHEREAS, maintenance of adequate reserves would require a reasoned consideration of risks inherent in the ongoing operations of the City; and

WHEREAS, the General Fund of the City is the main operating fund for general services provided by the City with the highest degree of potential risk and thereby would require a dedicated minimum level of reserve balance to be established as a goal; and

WHEREAS, other funds may also require adequate reserve levels be established, again accounting for the level of risk and other assessments as identified in this Policy;

NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF CAMAS, AS FOLLOWS:

I.

The City Council approves and adopts the Reserve Balance Policy as set forth in Exhibit "A".

ADOPTED at a regular meeting of the Council of the City of Camas, this 3rd day of
April, 2023.

SIGNED: _____
Mayor

ATTEST: _____
Clerk

APPROVED as to form:

City Attorney



RESERVE BALANCE POLICY

PURPOSE The purpose of the Reserve Balance Policy is to ensure the City remains a financially stable organization by maintaining appropriate reserves. Adequate reserves position the City to effectively plan for cash funded needs, as well as unplanned needs caused by significant economic downturns, manage the consequences of outside impacts that result in revenue reductions and address unexpected emergencies, such as natural disasters, catastrophic events or excess liabilities or legal judgements.

SCOPE All operating funds of the City.

POLICY It is the policy of the City to establish and maintain adequate reserves based on consideration of risks to operations, in the budgetary fund balance across a spectrum of City operating funds. The budgetary fund balance represents the one-time amount accumulated from prior years, which is different than the fund balance under Generally Accepted Accounting Principles (GAAP) but includes the same constraints on spending.

PRACTICE: General Fund Reserve Policy

The General Fund is the main operating fund that pays for the general services provided by the City, such as public safety, parks, and library services. The General Fund accounts for all general revenues of the City and for expenditures related to the rendering of the City's general services. The General Fund is considered to have a high level of risk to operations due to its dependence on revenue streams that are susceptible to economic downturns and revenue reduction impacts from outside actions. In addition, the General Fund is the main funding source when responding to unexpected events or emergencies.

The City desires to maintain a prudent level of reserves based on the revenue impacts described above and the City's desire to maintain strong bond ratings to minimize borrowing costs. This reserve policy sets the targeted minimum level at 22% of General Fund annual expenditures which equates to approximately 2.5 months of reserves. The 22% consists of the 2 months of annual expenditures and 5% which is the approximate amount of Building Department unspent revenue (which can only be used to cover the cost of the Building Department) and the unspent development related revenue tied to engineering costs. This reserve is to provide stability and flexibility to respond to unexpected

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adversity and/or opportunities. Should the minimum level fall below its target, a plan will be formulated to restore within a three-year period.

Other Fund Reserve Policies

Other funds have been identified as needing reserves due to one or more of the following reasons: self-supporting in nature, the potential for unanticipated revenue or expenses changes that can negatively affect operations, to help maintain a stable fee structure, legally required in an interlocal agreement, or to cover the potential of unanticipated events threatening the public health, safety, or welfare. Reserves have been created in Camas/Washougal Fire Department, Enterprise Operating Funds (i.e., Water/Sewer, Solid Waste, Stormwater), Pension Funds, Replacement Funds, and Bond Reserve Funds.

Targeted reserves will be maintained as described below. Reserves should only be utilized after all other budget resources have been examined for available funds. Should the minimum target level for any of the funds identified fall below its target, a plan will be formulated to restore within the next year, but not to exceed a three-year period.

Camas-Washougal Fire Department accounts for the revenues and expenditures made in purchasing, maintaining, operating, and providing fire services, emergency aid service and ambulance transport for both cities and emergency aid services and ambulance transport services for East County Fire and Rescue. The City of Washougal and East County Fire and Rescue pay the City a fee from their EMS levies to fund their proportionate share of emergency aid service and ambulance transport services. The City of Washougal makes additional contributions to fund Washougal's proportionate share of fire services and to build reserves. Camas and Washougal agreed to target a reserve balance of 17% of annual expenditures.

Stormwater Enterprise Fund accounts for specific services funded directly by fees and charges to City stormwater customers. The fund is intended to be self-supporting and will maintain a minimum target reserve of 18% of annual expenditures. Other Stormwater reserves may be created when deemed appropriate (i.e., land, capital projects).

Solid Waste Enterprise Fund accounts for specific services funded directly by fees and charges to City Solid Waste customers. The fund is intended to be self-supporting and will maintain a minimum target reserve of 18% of annual expenditures. Other Solid Waste reserves may be created when deemed appropriate (i.e., equipment, trucks).

Water/Sewer Enterprise Fund accounts for specific services funded directly by fees and charges to City Water/Sewer customers. The fund is intended to be self-supporting and will maintain a minimum target reserve of 18% of annual

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expenditures. Other Water/Sewer reserves may be created when deemed appropriate (i.e., capital, bond reserves, capital projects).

Equipment Rental and Replacement Fund will maintain a minimum target reserve of 10% of the total City fleet replacement value. A fleet management vehicle replacement plan will be reviewed annually by the Public Works Director to ensure systematic replacement of vehicles based on combination of miles driven, repairs and maintenance schedules and years of service.

RESOLUTION NO. 23-002

A RESOLUTION of the City Council of the City of Camas, Washington, adopting a Reserve Balance Policy.

WHEREAS, the Council finds that maintaining an adequate level of reserves would act to ensure the financial stability of the City and allow the City effectively plan for cash funded needs and maintain strong bond ratings, as well as address potential shortfalls related to economic downturns or other contingencies; and

WHEREAS, maintenance of adequate reserves would require a reasoned consideration of risks inherent in the ongoing operations of the City; and

WHEREAS, the General Fund of the City is the main operating fund for general services provided by the City with the highest degree of potential risk and thereby would require a dedicated minimum level of reserve balance to be established as a goal; and

WHEREAS, other funds may also require adequate reserve levels be established, again accounting for the level of risk and other assessments as identified in this Policy;

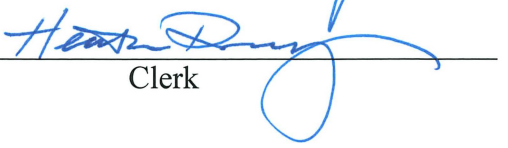
NOW, THEREFORE, BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF CAMAS, AS FOLLOWS:


I.

The City Council approves and adopts the Reserve Balance Policy as set forth in Exhibit “A”.

ADOPTED at a regular meeting of the Council of the City of Camas, this 3rd day of April, 2023.

SIGNED: 
Mayor

ATTEST: 
Clerk

APPROVED as to form:

City Attorney



RESERVE BALANCE POLICY

PURPOSE The purpose of the Reserve Balance Policy is to ensure the City remains a financially stable organization by maintaining appropriate reserves. Adequate reserves position the City to effectively plan for cash funded needs, as well as unplanned needs caused by significant economic downturns, manage the consequences of outside impacts that result in revenue reductions and address unexpected emergencies, such as natural disasters, catastrophic events or excess liabilities or legal judgements.

SCOPE All operating funds of the City.

POLICY It is the policy of the City to establish and maintain adequate reserves based on consideration of risks to operations, in the budgetary fund balance across a spectrum of City operating funds. The budgetary fund balance represents the one-time amount accumulated from prior years, which is different than the fund balance under Generally Accepted Accounting Principles (GAAP) but includes the same constraints on spending.

PRACTICE: General Fund Reserve Policy

The General Fund is the main operating fund that pays for the general services provided by the City, such as public safety, parks, and library services. The General Fund accounts for all general revenues of the City and for expenditures related to the rendering of the City's general services. The General Fund is considered to have a high level of risk to operations due to its dependence on revenue streams that are susceptible to economic downturns and revenue reduction impacts from outside actions. In addition, the General Fund is the main funding source when responding to unexpected events or emergencies.

The City desires to maintain a prudent level of reserves based on the revenue impacts described above and the City's desire to maintain strong bond ratings to minimize borrowing costs. This reserve policy sets the targeted minimum level at 22% of General Fund annual expenditures which equates to approximately 2.5 months of reserves. The 22% consists of the 2 months of annual expenditures and 5% which is the approximate amount of Building Department unspent revenue (which can only be used to cover the cost of the Building Department) and the unspent development related revenue tied to engineering costs. This reserve is to provide stability and flexibility to respond to unexpected

Thursday, March 30, 2023

adversity and/or opportunities. Should the minimum level fall below its target, a plan will be formulated to restore within a three-year period.

Other Fund Reserve Policies

Other funds have been identified as needing reserves due to one or more of the following reasons: self-supporting in nature, the potential for unanticipated revenue or expenses changes that can negatively affect operations, to help maintain a stable fee structure, legally required in an interlocal agreement, or to cover the potential of unanticipated events threatening the public health, safety, or welfare. Reserves have been created in Camas/Washougal Fire Department, Enterprise Operating Funds (i.e., Water/Sewer, Solid Waste, Stormwater), Pension Funds, Replacement Funds, and Bond Reserve Funds.

Targeted reserves will be maintained as described below. Reserves should only be utilized after all other budget resources have been examined for available funds. Should the minimum target level for any of the funds identified fall below its target, a plan will be formulated to restore within the next year, but not to exceed a three-year period.

Camas-Washougal Fire Department accounts for the revenues and expenditures made in purchasing, maintaining, operating, and providing fire services, emergency aid service and ambulance transport for both cities and emergency aid services and ambulance transport services for East County Fire and Rescue. The City of Washougal and East County Fire and Rescue pay the City a fee from their EMS levies to fund their proportionate share of emergency aid service and ambulance transport services. The City of Washougal makes additional contributions to fund Washougal’s proportionate share of fire services and to build reserves. Camas and Washougal agreed to target a reserve balance of 17% of annual expenditures.

Stormwater Enterprise Fund accounts for specific services funded directly by fees and charges to City stormwater customers. The fund is intended to be self-supporting and will maintain a minimum target reserve of 18% of annual expenditures. Other Stormwater reserves may be created when deemed appropriate (i.e., land, capital projects).

Solid Waste Enterprise Fund accounts for specific services funded directly by fees and charges to City Solid Waste customers. The fund is intended to be self-supporting and will maintain a minimum target reserve of 18% of annual expenditures. Other Solid Waste reserves may be created when deemed appropriate (i.e., equipment, trucks).

Water/Sewer Enterprise Fund accounts for specific services funded directly by fees and charges to City Water/Sewer customers. The fund is intended to be self-supporting and will maintain a minimum target reserve of 18% of annual

expenditures. Other Water/Sewer reserves may be created when deemed appropriate (i.e., capital, bond reserves, capital projects).

Equipment Rental and Replacement Fund will maintain a minimum target reserve of 10% of the total City fleet replacement value. A fleet management vehicle replacement plan will be reviewed annually by the Public Works Director to ensure systematic replacement of vehicles based on combination of miles driven, repairs and maintenance schedules and years of service.

CITY OF CAMAS, WASHINGTON

ORDINANCE NO. 23-003

AN ORDINANCE of the City of Camas, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of not to exceed \$20,000,000 aggregate principal amount of limited tax general obligation bonds to provide funds to finance parks redevelopment, facilities construction and rehabilitation, street construction and other capital improvements, and to pay the costs of issuance and sale of the bonds; fixing or setting parameters with respect to certain terms and covenants of the bonds; appointing the City's designated representative to approve the final terms of the sale of the bonds; and providing for other related matters.

Passed April 3, 2023

This document prepared by:

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**The cover page, table of contents and section headings of this ordinance are for convenience of reference only, and shall not be used to resolve any question of interpretation of this ordinance.*

CITY OF CAMAS, WASHINGTON

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THE CITY COUNCIL OF THE CITY OF CAMAS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Definitions. As used in this ordinance, the following capitalized terms shall have the following meanings:

- (a) “*Authorized Denomination*” means \$5,000 or any integral multiple thereof within a maturity of a Series.
- (b) “*Beneficial Owner*” means, with respect to a Bond, the owner of any beneficial interest in that Bond.
- (c) “*Bond*” means each bond issued pursuant to and for the purposes provided in this ordinance.
- (d) “*Bond Counsel*” means the firm of Foster Garvey P.C., its successor, or any other attorney or firm of attorneys selected by the City with a nationally recognized standing as bond counsel in the field of municipal finance.
- (e) “*Bond Fund*” means the Limited Tax General Obligation Bond Fund, 2023, of the City created for the payment of the principal of and interest on the Bonds.
- (f) “*Bond Purchase Contract*” means an offer to purchase a Series of the Bonds, setting forth certain terms and conditions of the issuance, sale and delivery of those Bonds, which offer is authorized to be accepted by the Designated Representative on behalf of the City, if consistent with this ordinance.
- (g) “*Bond Register*” means the books or records maintained by the Bond Registrar for the purpose of identifying ownership of each Bond.
- (h) “*Bond Registrar*” means the Fiscal Agent, or any successor bond registrar selected by the City.

(i) “*City*” means the City of Camas, Washington, a municipal corporation duly organized and existing under the laws of the State.

(j) “*City Council*” means the legislative authority of the City, as duly and regularly constituted from time to time.

(k) “*Code*” means the United States Internal Revenue Code of 1986, as amended, and applicable rules and regulations promulgated thereunder.

(l) “*DTC*” means The Depository Trust Company, New York, New York, or its nominee.

(m) “*Designated Representative*” means the officer of the City appointed in Section 4 of this ordinance to serve as the City’s designated representative in accordance with RCW 39.46.040(2).

(n) “*Final Terms*” means the terms and conditions for the sale of a Series of the Bonds including the amount, date or dates, denominations, interest rate or rates (or mechanism for determining interest rate or rates), payment dates, final maturity, redemption rights, price, and other terms or covenants.

(o) “*Fiscal Agent*” means the fiscal agent of the State, as the same may be designated by the State from time to time.

(p) “*Government Obligations*” has the meaning given in RCW 39.53.010, as now in effect or as may hereafter be amended.

(q) “*Issue Date*” means, with respect to a Bond, the date of initial issuance and delivery of that Bond to the Purchaser in exchange for the purchase price of that Bond.

(r) “*Letter of Representations*” means the Blanket Issuer Letter of Representations between the City and DTC, dated October 12, 1998, as it may be amended from time to time, and any successor or substitute letter relating to the operational procedures of the Securities Depository.

(s) “*MSRB*” means the Municipal Securities Rulemaking Board.

(t) “*Official Statement*” means an offering document, disclosure document, private placement memorandum or substantially similar disclosure document provided to purchasers and potential purchasers in connection with the initial offering of a Series of the Bonds in conformance with Rule 15c2-12 or other applicable regulations of the SEC.

(u) “*Owner*” means, without distinction, the Registered Owner and the Beneficial Owner.

(v) “*Project*” means the redevelopment of parks, construction and rehabilitation of facilities, street construction, and other capital improvements as deemed necessary and advisable

by the City. Incidental costs incurred in connection with carrying out and accomplishing the Project, consistent with RCW 39.46.070, may be included as costs of the Project.

(w) “*Project Fund*” means the fund(s) or account(s) of the City created or continued for the purpose of carrying out the Project.

(x) “*Purchaser*” means KeyBanc Capital Markets Inc., of Seattle, Washington, or such other corporation, firm, association, partnership, trust, bank, financial institution or other legal entity or group of entities selected by the Designated Representative to serve as purchaser in a private placement, or underwriter in a negotiated sale.

(y) “*Rating Agency*” means any nationally recognized rating agency then maintaining a rating on the Bonds at the request of the City.

(z) “*Record Date*” means the Bond Registrar’s close of business on the 15th day of the month preceding an interest payment date. With respect to redemption of a Bond prior to its maturity, the Record Date shall mean the Bond Registrar’s close of business on the date on which the Bond Registrar sends the notice of redemption in accordance with Section 9.

(aa) “*Registered Owner*” means, with respect to a Bond, the person in whose name that Bond is registered on the Bond Register. For so long as the City utilizes the book-entry only system for the Bonds under the Letter of Representations, Registered Owner shall mean the Securities Depository.

(bb) “*Rule 15c2-12*” means Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934, as amended.

(cc) “*SEC*” means the United States Securities and Exchange Commission.

(dd) “*Securities Depository*” means DTC, any successor thereto, any substitute securities depository selected by the City that is qualified under applicable laws and regulations to provide the services proposed to be provided by it, or the nominee of any of the foregoing.

(ee) “*Series of the Bonds*” or “*Series*” means a series of the Bonds issued pursuant to this ordinance.

(ff) “*State*” means the State of Washington.

(gg) “*Term Bond*” means each Bond designated as a Term Bond and subject to mandatory redemption in the years and amounts set forth in the Bond Purchase Contract.

(hh) “*Undertaking*” means the undertaking to provide continuing disclosure entered into pursuant to Section 16 of this ordinance.

Section 2. Findings and Determinations. The City takes note of the following facts and makes the following findings and determinations:

(a) *Authority and Description of Project.* The City is in need of parks redevelopment, facilities construction and rehabilitation, street construction and other capital improvements. The City Council therefore finds that it is in the best interests of the City to carry out the Project.

(b) *Plan of Financing.* Pursuant to applicable law, including without limitation chapters 35.37, 35.40, 39.36, 39.44, 39.46 and 39.52 RCW, the City is authorized to issue general obligation bonds for the purpose of financing or reimbursing costs of the Project. The total expected cost of the Project is approximately \$20,000,000, which is expected to be made up of proceeds of the Bonds, grants, and other available money of the City.

(c) *Debt Capacity.* The maximum amount of indebtedness authorized by this ordinance is \$20,000,000. Based on the following facts, this amount is to be issued within the amount permitted to be issued by the City for general municipal purposes without a vote:

- (1) The assessed valuation of the taxable property within the City as ascertained by the last preceding assessment for City purposes for collection in the calendar year 2023 is \$7,276,498,632.
- (2) As of February 28, 2023, the City had limited tax general obligation indebtedness, consisting of bonds, note, loans, and conditional sales contracts outstanding in the principal amount of \$40,332,896, which is incurred within the limit of up to 1½% of the value of the taxable property within the City permitted for general municipal purposes without a vote.
- (3) As of February 28, 2023, the City had no unlimited tax general obligation indebtedness outstanding.

(d) *The Bonds.* For the purpose of providing the funds necessary to carry out the Project and to pay the costs of issuance and sale of the Bonds, the City Council finds that it is in the best interests of the City and its taxpayers to issue and sell the Bonds to the Purchaser, pursuant to the terms set forth as approved by the City's Designated Representative consistent with this ordinance.

Section 3. Authorization of Bonds. The City is authorized to borrow money on the credit of the City and issue negotiable limited tax general obligation bonds evidencing indebtedness in one or more Series in aggregate principal amount not to exceed \$20,000,000 to provide funds necessary to carry out the Project and to pay the costs of issuance and sale of the Bonds. The proceeds of the Bonds allocated to paying the cost of the Project shall be deposited as set forth in Section 8 of this ordinance and shall be used to carry out the Project, or a portion of the Project, in such order of time as the City determines is advisable and practicable.

Section 4. Description of Bonds; Appointment of Designated Representative. The City's Finance Director, or the City Administrator in the absence of the Finance Director, is appointed as the Designated Representative of the City and is authorized and directed to conduct the sale of the Bonds in the manner and upon the terms deemed most advantageous to the City, and to approve the Final Terms of each Series of the Bonds, with such additional terms and covenants as the Designated Representative deems advisable, within the following parameters:

- (a) The Bonds may be issued in one or more Series, and the aggregate principal amount of the Bonds shall not exceed \$20,000,000;
- (b) One or more rates of interest may be fixed for the Bonds as long as no rate of interest for any maturity of the Bonds exceeds 5.500%;
- (c) The true interest cost to the City for each Series of Bonds does not exceed 5.000%;
- (d) The aggregate purchase price for each Series of Bonds shall not be less than 97.0% and not more than 135.0% of the aggregate stated principal amount of the Bonds, excluding any original issue discount;
- (e) The Bonds may be issued subject to optional and mandatory redemption provisions;
- (f) Each Series shall mature no later than December 1, 2053; and
- (g) The Bonds shall be dated as of the date of their delivery, which date and time for the issuance and delivery of the Bonds is not later than December 31, 2023.

In addition, a Series of the Bonds may not be issued if it would cause the indebtedness of the City to exceed the City's legal debt capacity on the Issue Date. The Designated Representative may determine whether it is in the City's best interest to provide for bond insurance or other credit enhancement; and may accept such additional terms, conditions and covenants as the Designated Representative may determine are in the best interests of the City, consistent with this ordinance.

In determining the number of series, the series designations, final principal amounts, date of the Bonds, denominations, interest rates, payment dates, redemption provisions, tax status, and maturity dates for the Bonds, the Designated Representative, in consultation with other City officials and staff and advisors, shall take into account those factors that, in the judgment of the Designated Representative, will result in the lowest true interest cost on the Bonds to their maturity, including, but not limited to current financial market conditions and current interest rates for obligations comparable to the Bonds.

Section 5. Bond Registrar; Registration and Transfer of Bonds.

(a) *Registration of Bonds.* Each Bond shall be issued only in registered form as to both principal and interest and the ownership of each Bond shall be recorded on the Bond Register.

(b) *Bond Registrar; Duties.* The Fiscal Agent is appointed as initial Bond Registrar. The Bond Registrar shall keep, or cause to be kept, sufficient books for the registration and transfer of the Bonds, which shall be open to inspection by the City at all times. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver Bonds transferred or exchanged in accordance with the provisions of the Bonds and this ordinance, to serve as the City's paying agent for the Bonds and to carry out all of the Bond Registrar's powers and duties under this ordinance. The Bond Registrar shall be responsible for its representations contained in the Bond Registrar's Certificate of Authentication on each Bond. The Bond Registrar may become an Owner with the same rights it would have if it were not the Bond Registrar and, to the extent permitted by law,

may act as depository for and permit any of its officers or directors to act as members of, or in any other capacity with respect to, any committee formed to protect the rights of Owners.

(c) *Bond Register; Transfer and Exchange.* The Bond Register shall contain the name and mailing address of each Registered Owner and the principal amount and number of each Bond held by each Registered Owner. A Bond surrendered to the Bond Registrar may be exchanged for a Bond or Bonds in any Authorized Denomination of an equal aggregate principal amount and of the same Series, interest rate and maturity. A Bond may be transferred only if endorsed in the manner provided thereon and surrendered to the Bond Registrar. Any exchange or transfer shall be without cost to the Owner or transferee. The Bond Registrar shall not be obligated to exchange any Bond or transfer registered ownership during the period between the applicable Record Date and the next upcoming interest payment or redemption date.

(d) *Securities Depository; Book-Entry Only Form.* DTC is appointed as initial Securities Depository and each such Bond initially shall be registered in the name of Cede & Co., as the nominee of DTC. Each Bond registered in the name of the Securities Depository shall be held fully immobilized in book-entry only form by the Securities Depository in accordance with the provisions of the Letter of Representations. Registered ownership of any Bond registered in the name of the Securities Depository may not be transferred except: (i) to any successor Securities Depository; (ii) to any substitute Securities Depository appointed by the City; or (iii) to any person if the Bond is no longer to be held in book-entry only form. Upon the resignation of the Securities Depository, or upon a termination of the services of the Securities Depository by the City, the City may appoint a substitute Securities Depository. If (i) the Securities Depository resigns and the City does not appoint a substitute Securities Depository, or (ii) the City terminates the services of the Securities Depository, the Bonds no longer shall be held in book-entry only form and the registered ownership of each Bond may be transferred to any person as provided in this ordinance.

Neither the City nor the Bond Registrar shall have any obligation to participants of any Securities Depository or the persons for whom they act as nominees regarding accuracy of any records maintained by the Securities Depository or its participants. Neither the City nor the Bond Registrar shall be responsible for any notice that is permitted or required to be given to a Registered Owner except such notice as is required to be given by the Bond Registrar to the Securities Depository.

Section 6. Form and Execution of Bonds.

(a) *Form of Bonds; Signatures and Seal.* Each Bond shall be prepared in a form consistent with the provisions of this ordinance and State law. Each Bond shall be signed by the Mayor or Mayor Pro Tem and the City Clerk, either or both of whose signatures may be manual or in facsimile, and the seal of the City or a facsimile reproduction thereof shall be impressed or printed thereon. If any officer whose manual or facsimile signature appears on a Bond ceases to be an officer of the City authorized to sign bonds before the Bond bearing such officer's manual or facsimile signature is authenticated by the Bond Registrar, or issued or delivered by the City, that Bond nevertheless may be authenticated, issued and delivered and, when authenticated, issued and delivered, shall be as binding on the City as though that person had continued to be an officer of the City authorized to sign bonds. Any Bond also may be signed on behalf of the City by any

person who, on the actual date of signing of the Bond, is an officer of the City authorized to sign bonds, although such officer did not hold the required office on its Issue Date.

(b) *Authentication.* Only a Bond bearing a Certificate of Authentication in substantially the following form, manually signed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance: “Certificate of Authentication. This Bond is one of the fully registered City of Camas, Washington, Limited Tax General Obligation Bonds, 2023, described in the Bond Ordinance.” The authorized signing of a Certificate of Authentication shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered and is entitled to the benefits of this ordinance.

Section 7. Payment of Bonds. Principal of and interest on each Bond shall be payable in lawful money of the United States of America. Principal of and interest on each Bond registered in the name of the Securities Depository is payable in the manner set forth in the Letter of Representations. Interest on each Bond not registered in the name of the Securities Depository is payable by electronic transfer on the interest payment date, or by check or draft of the Bond Registrar mailed on the interest payment date to the Registered Owner at the address appearing on the Bond Register on the Record Date. However, the City is not required to make electronic transfers except pursuant to a request by a Registered Owner in writing received on or prior to the Record Date and at the sole expense of the Registered Owner. Principal of each Bond not registered in the name of the Securities Depository is payable upon presentation and surrender of the Bond by the Registered Owner to the Bond Registrar. The Bonds are not subject to acceleration under any circumstances.

Section 8. Funds and Accounts; Deposit of Proceeds.

(a) *Bond Fund.* The Bond Fund is created as a special fund of the City for the sole purpose of paying principal of and interest on the Bonds. All amounts allocated to the payment of the principal of and interest on the Bonds shall be deposited in the Bond Fund as necessary for the timely payment of amounts due with respect to the Bonds. The principal of and interest on the Bonds shall be paid out of the Bond Fund. Until needed for that purpose, the City may invest money in the Bond Fund temporarily in any legal investment, and the investment earnings shall be retained in the Bond Fund and used for the purposes of that fund.

(b) *Project Fund.* The Project Fund is created or continued as a fund of the City for the purpose of paying the costs of the Project. Proceeds received from the sale and delivery of the Bonds shall be deposited into the Project Fund and used to pay the costs of the Project and costs of issuance of the Bonds. Until needed to pay such costs, the City may invest those proceeds temporarily in any legal investment, and the investment earnings shall be retained in the Project Fund and used for the purposes of that fund, except that earnings subject to a federal tax or rebate requirement (if applicable) may be withdrawn from the Project Fund and used for those tax or rebate purposes.

Section 9. Redemption Provisions and Purchase of Bonds.

(a) *Optional Redemption.* The Bonds shall be subject to redemption at the option of the City on terms acceptable to the Designated Representative, as set forth in the Bond Purchase Contract, consistent with the parameters set forth in Section 4.

(b) *Mandatory Redemption.* Each Bond that is designated as a Term Bond in the Bond Purchase Contract, consistent with the parameters set forth in Section 4 and except as set forth below, shall be called for redemption at a price equal to the stated principal amount to be redeemed, plus accrued interest, on the dates and in the amounts as set forth in the Bond Purchase Contract. If a Term Bond is redeemed under the optional redemption provisions, defeased or purchased by the City and surrendered for cancellation, the principal amount of the Term Bond so redeemed, defeased or purchased (irrespective of its actual redemption or purchase price) shall be credited against one or more scheduled mandatory redemption installments for that Term Bond. The City shall determine the manner in which the credit is to be allocated and shall notify the Bond Registrar in writing of its allocation prior to the earliest mandatory redemption date for that Term Bond for which notice of redemption has not already been given.

(c) *Selection of Bonds for Redemption; Partial Redemption.* If fewer than all of the outstanding Bonds are to be redeemed at the option of the City, the City shall select the Series and maturities to be redeemed. If fewer than all of the outstanding Bonds of a maturity of a Series are to be redeemed, the Securities Depository shall select Bonds registered in the name of the Securities Depository to be redeemed in accordance with the Letter of Representations, and the Bond Registrar shall select all other Bonds to be redeemed randomly in such manner as the Bond Registrar shall determine. All or a portion of the principal amount of any Bond that is to be redeemed may be redeemed in any Authorized Denomination. If less than all of the outstanding principal amount of any Bond is redeemed, upon surrender of that Bond to the Bond Registrar, there shall be issued to the Registered Owner, without charge, a new Bond (or Bonds, at the option of the Registered Owner) of the same Series, maturity and interest rate in any Authorized Denomination in the aggregate principal amount to remain outstanding.

(d) *Notice of Redemption.* Notice of redemption of each Bond registered in the name of the Securities Depository shall be given in accordance with the Letter of Representations. Notice of redemption of each other Bond, unless waived by the Registered Owner, shall be given by the Bond Registrar not less than 20 nor more than 60 days prior to the date fixed for redemption by first-class mail, postage prepaid, to the Registered Owner at the address appearing on the Bond Register on the Record Date. The requirements of the preceding sentence shall be satisfied when notice has been mailed as so provided, whether or not it is actually received by an Owner. In addition, the redemption notice shall be mailed or sent electronically within the same period to the MSRB (if required under the Undertaking), to each Rating Agency, and to such other persons and with such additional information as the Finance Director shall determine, but these additional mailings shall not be a condition precedent to the redemption of any Bond.

(e) *Rescission of Optional Redemption Notice.* In the case of an optional redemption, the notice of redemption may state that the City retains the right to rescind the redemption notice and the redemption by giving a notice of rescission to the affected Registered Owners at any time on or prior to the date fixed for redemption. Any notice of optional redemption that is so rescinded

shall be of no effect, and each Bond for which a notice of optional redemption has been rescinded shall remain outstanding.

(f) *Effect of Redemption.* Interest on each Bond called for redemption shall cease to accrue on the date fixed for redemption, unless either the notice of optional redemption is rescinded as set forth above, or money sufficient to effect such redemption is not on deposit in the Bond Fund or in a trust account established to refund or defease the Bond.

(g) *Purchase of Bonds.* The City reserves the right to purchase any or all of the Bonds offered to the City at any time at any price acceptable to the City plus accrued interest to the date of purchase.

Section 10. Failure To Pay Bonds. If the principal of any Bond is not paid when the Bond is properly presented at its maturity or date fixed for redemption, the City shall be obligated to pay interest on that Bond at the same rate provided in the Bond from and after its maturity or date fixed for redemption until that Bond, both principal and interest, is paid in full or until sufficient money for its payment in full is on deposit in the Bond Fund, or in a trust account established to refund or defease the Bond, and the Bond has been called for payment by giving notice of that call to the Registered Owner.

Section 11. Pledge of Taxes. The Bonds constitute a general indebtedness of the City and are payable from tax revenues of the City and such other money as is lawfully available and pledged by the City for the payment of principal of and interest on the Bonds. For as long as any of the Bonds are outstanding, the City irrevocably pledges that it shall, in the manner provided by law within the constitutional and statutory limitations provided by law without the assent of the voters, include in its annual property tax levy amounts sufficient, together with other money that is lawfully available, to pay principal of and interest on the Bonds as the same become due. The full faith, credit and resources of the City are pledged irrevocably for the prompt payment of the principal of and interest on the Bonds and such pledge shall be enforceable in mandamus against the City.

Section 12. Tax Covenants.

(a) *Preservation of Tax Exemption for Interest on Bonds.* The City covenants that it will take all actions necessary to prevent interest on the Bonds from being included in gross income for federal income tax purposes, and it will neither take any action nor make or permit any use of proceeds of the Bonds or other funds of the City treated as proceeds of the Bonds that will cause interest on the Bonds to be included in gross income for federal income tax purposes. The City also covenants that it will, to the extent the arbitrage rebate requirements of Section 148 of the Code are applicable to the Bonds, take all actions necessary to comply (or to be treated as having complied) with those requirements in connection with the Bonds.

(b) *Post-Issuance Compliance.* The Finance Director is authorized and directed to review and revise the City’s written procedures to facilitate compliance by the City with the covenants in this ordinance and the applicable requirements of the Code that must be satisfied after the Issue Date to prevent interest on the Bonds from being included in gross income for federal tax purposes.

(c) *Designation of Bonds as “Qualified Tax-Exempt Obligations.”* A Series of the Bonds may be designated as “qualified tax-exempt obligations” for the purposes of Section 265(b)(3) of the Code, if the following conditions are met:

- (1) the Series do not constitute “private activity bonds” within the meaning of Section 141 of the Code;
- (2) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds and other obligations not required to be included in such calculation) that the City and any entity subordinate to the City (including any entity that the City controls, that derives its authority to issue tax-exempt obligations from the City, or that issues tax-exempt obligations on behalf of the City) will issue during the calendar year in which the Series is issued will not exceed \$10,000,000; and
- (3) the amount of tax-exempt obligations, including the Series, designated by the City as “qualified tax-exempt obligations” for the purposes of Section 265(b)(3) of the Code during the calendar year in which the Series is issued does not exceed \$10,000,000.

Section 13. Refunding or Defeasance of the Bonds. The City may issue refunding bonds pursuant to State law or use money available from any other lawful source to carry out a refunding or defeasance plan, which may include (a) paying when due the principal of and interest on any or all of the Bonds (the “defeased Bonds”); (b) redeeming the defeased Bonds prior to their maturity; and (c) paying the costs of the refunding or defeasance. If the City sets aside in a special trust fund or escrow account irrevocably pledged to that redemption or defeasance (the “trust account”), money and/or Government Obligations maturing at a time or times and bearing interest in amounts sufficient to redeem, refund or defease the defeased Bonds in accordance with their terms, then all right and interest of the Owners of the defeased Bonds in the covenants of this ordinance and in the funds and accounts obligated to the payment of the defeased Bonds shall cease and become void. Thereafter, the Owners of defeased Bonds shall have the right to receive payment of the principal of and interest on the defeased Bonds solely from the trust account and the defeased Bonds shall be deemed no longer outstanding. In that event, the City may apply money remaining in any fund or account (other than the trust account) established for the payment or redemption of the defeased Bonds to any lawful purpose.

Unless otherwise specified by the City in a refunding or defeasance plan, notice of refunding or defeasance shall be given, and selection of Bonds for any partial refunding or defeasance shall be conducted, in the manner prescribed in this ordinance for the redemption of Bonds.

Section 14. Sale and Delivery of the Bonds.

(a) *Manner of Sale of Bonds; Delivery of Bonds.* The Designated Representative is authorized to sell each Series of the Bonds by negotiated sale or private placement based on the assessment of the Designated Representative of market conditions, in consultation with appropriate City officials and staff, Bond Counsel and other advisors. In determining the method

of sale of a Series and accepting the Final Terms, the Designated Representative shall take into account those factors that, in the judgment of the Designated Representative, may be expected to result in the lowest true interest cost to the City.

(b) *Procedure for Negotiated Sale or Private Placement.* If the Designated Representative determines that a Series of the Bonds is to be sold by negotiated sale or private placement, the Designated Representative shall select one or more Purchasers with which to negotiate such sale. The Bond Purchase Contract for each Series of the Bonds shall set forth the Final Terms. The Designated Representative is authorized to execute the Bond Purchase Contract on behalf of the City, so long as the terms provided therein are consistent with the terms of this ordinance.

(c) *Preparation, Execution and Delivery of the Bonds.* The Bonds will be prepared at City expense and will be delivered to the Purchaser in accordance with the Bond Purchase Contract, together with the approving legal opinion of Bond Counsel regarding the Bonds.

Section 15. Official Statement.

(a) *Preliminary Official Statement Deemed Final.* The Designated Representative shall review and, if acceptable, approve the preliminary Official Statement prepared in connection with each sale of a Series of the Bonds to the public or through a Purchaser as a placement agent. For the sole purpose of the Purchaser's compliance with paragraph (b)(1) of Rule 15c2-12, if applicable, the Designated Representative is authorized to deem that preliminary Official Statement final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12. The City approves the distribution to potential purchasers of the Bonds of a preliminary Official Statement that has been approved by the Designated Representative and been deemed final, if applicable, in accordance with this subsection.

(b) *Approval of Final Official Statement.* The City approves the preparation of a final Official Statement for each Series of the Bonds to be sold to the public in the form of the preliminary Official Statement that has been approved and deemed final in accordance with subsection (a), with such modifications and amendments as the Designated Representative deems necessary or desirable, and further authorizes the Designated Representative to execute and deliver such final Official Statement to the Purchaser if required under Rule 15c2-12. The City authorizes and approves the distribution by the Purchaser of the final Official Statement so executed and delivered to purchasers and potential purchasers of a Series of the Bonds.

Section 16. Undertaking to Provide Continuing Disclosure. To meet the requirements of paragraph (b)(5) of Rule 15c2-12, as applicable to a participating underwriter for the Bonds, the City makes the following written undertaking (the "Undertaking") for the benefit of holders of the Bonds:

(a) *Undertaking to Provide Annual Financial Information and Notice of Listed Events.* The City undertakes to provide or cause to be provided, either directly or through a designated agent, to the MSRB, in an electronic format as prescribed by the MSRB, accompanied by identifying information as prescribed by the MSRB:

(1) Annual financial information and operating data of the type included in the final official statement for the Bonds and described in paragraph (b) (“annual financial information”);

(2) Timely notice (not in excess of 10 business days after the occurrence of the event) of the occurrence of any of the following events with respect to the Bonds: (A) principal and interest payment delinquencies; (B) non-payment related defaults, if material; (C) unscheduled draws on debt service reserves reflecting financial difficulties; (D) unscheduled draws on credit enhancements reflecting financial difficulties; (E) substitution of credit or liquidity providers, or their failure to perform; (F) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notice of Proposed Issue (IRS Form 5701 – TEB) or other material notices or determinations with respect to the tax status of the Bonds; (G) modifications to rights of holders of the Bonds, if material; (H) bond calls (other than scheduled mandatory redemptions of Term Bonds), if material, and tender offers; (I) defeasances; (J) release, substitution, or sale of property securing repayment of the Bonds, if material; (K) rating changes; (L) bankruptcy, insolvency, receivership or similar event of the City, as such “Bankruptcy Events” are defined in Rule 15c2-12; (M) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; (N) appointment of a successor or additional trustee or the change of name of a trustee, if material; (O) incurrence of a financial obligation of the City or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City or obligated person, any of which affect security holders, if material; and (P) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the City or obligated person, any of which reflect financial difficulties. The term “financial obligation” means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

(3) Timely notice of a failure by the City to provide required annual financial information on or before the date specified in paragraph (b).

(b) Type of Annual Financial Information Undertaken to be Provided. The annual financial information that the City undertakes to provide in paragraph (a):

(1) Shall consist of (A) annual financial statements prepared (except as noted in the financial statements) in accordance with applicable generally accepted accounting principles applicable to local governmental units of the State such as the City, as such principles may be changed from time to time, which statements may be unaudited, provided, that if and when audited financial statements are prepared and available they will be provided; (B) principal amount of general obligation bonds outstanding at the end of the applicable fiscal year; (C) assessed valuation for that fiscal year; and (D) regular property tax levy rate and regular property tax levy rate limit for the fiscal year;

(2) Shall be provided not later than the last day of the ninth month after the end of each fiscal year of the City (currently, a fiscal year ending December 31), as such fiscal year may be changed as required or permitted by State law, commencing with the City's fiscal year ending December 31, 2023; and

(3) May be provided in a single or multiple documents, and may be incorporated by specific reference to documents available to the public on the Internet website of the MSRB or filed with the SEC.

(c) Amendment of Undertaking. This Undertaking is subject to amendment after the primary offering of the Bonds without the consent of any holder of any Bond, or of any broker, dealer, municipal securities dealer, participating underwriter, Rating Agency or the MSRB, under the circumstances and in the manner permitted by Rule 15c2-12. The City will give notice to the MSRB of the substance (or provide a copy) of any amendment to the Undertaking and a brief statement of the reasons for the amendment. If the amendment changes the type of annual financial information to be provided, the annual financial information containing the amended financial information will include a narrative explanation of the effect of that change on the type of information to be provided.

(d) Beneficiaries. This Undertaking shall inure to the benefit of the City and the holder of each Bond, and shall not inure to the benefit of or create any rights in any other person.

(e) Termination of Undertaking. The City's obligations under this Undertaking shall terminate upon the redemption, maturity or legal defeasance of all of the Bonds. In addition, the City's obligations under this Undertaking shall terminate if the provisions of Rule 15c2-12 that require the City to comply with this Undertaking become legally inapplicable in respect of the Bonds for any reason, as confirmed by an opinion of Bond Counsel delivered to the City, and the City provides timely notice of such termination to the MSRB.

(f) Remedy for Failure to Comply with Undertaking. As soon as practicable after the City learns of any failure to comply with this Undertaking, the City will proceed with due diligence to cause such noncompliance to be corrected. No failure by the City or other obligated person to comply with this Undertaking shall constitute an event of default. The sole remedy of any holder of a Bond shall be to take action to compel the City or other obligated person to comply with this Undertaking, including seeking an order of specific performance from an appropriate court.

(g) Designation of Official Responsible to Administer Undertaking. The Finance Director or the designee of the Finance Director is the person designated, in accordance with the Bond Ordinance, to carry out the Undertaking in accordance with Rule 15c2-12, including, without limitation, the following actions:

(1) Preparing and filing the annual financial information undertaken to be provided;

(2) Determining whether any event specified in paragraph (a) has occurred, assessing its materiality, where necessary, with respect to the Bonds, and preparing and disseminating any required notice of its occurrence;

(3) Determining whether any person other than the City is an “obligated person” within the meaning of Rule 15c2-12 with respect to the Bonds, and obtaining from such person an undertaking to provide any annual financial information and notice of listed events for that person required under Rule 15c2-12;

(4) Selecting, engaging and compensating designated agents and consultants, including financial advisors and legal counsel, to assist and advise the City in carrying out this Undertaking; and

(5) Effecting any necessary amendment of this undertaking.

Section 17. Supplemental and Amendatory Ordinances. The City may supplement or amend this ordinance for any one or more of the following purposes without the consent of any Owners of the Bonds:

(a) To add covenants and agreements that do not materially adversely affect the interests of Owners, or to surrender any right or power reserved to or conferred upon the City.

(b) To cure any ambiguities, or to cure, correct or supplement any defective provision contained in this ordinance in a manner that does not materially adversely affect the interest of the Beneficial Owners of the Bonds.

Section 18. General Authorization and Ratification. The Mayor (or Mayor Pro Tem), City Administrator, City Clerk, Designated Representative and other appropriate officers of the City are severally authorized to take such actions and to execute such documents as in their judgment may be necessary or desirable to carry out the transactions contemplated in connection with this ordinance, and to do everything necessary for the prompt delivery of each Series of the Bonds to the Purchaser thereof and for the proper application, use and investment of the proceeds of the Bonds. All actions taken prior to the effective date of this ordinance in furtherance of the purposes described in this ordinance and not inconsistent with the terms of this ordinance are ratified and confirmed in all respects.

Section 19. Severability. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, such offending provision shall, if feasible, be deemed to be modified to be within the limits of enforceability or validity. However, if the offending provision cannot be so modified, it shall be null and void with respect to the particular person or circumstance, and all other provisions of this ordinance in all other respects, and the offending provision with respect to all other persons and all other circumstances, shall remain valid and enforceable.

Section 20. Effective Date of Ordinance. This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Camas, Washington, at an open public meeting thereof, this 3rd day of April, 2023.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Bond Counsel

CERTIFICATION

I, the undersigned, City Clerk of the City of Camas, Washington (the “City”), hereby certify as follows:

1. The attached copy of Ordinance No. ____ (the “Ordinance”) is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on April 3, 2023, as that ordinance appears on the minute book of the City.

2. That said meeting was duly convened, held and included an opportunity for public comment, in all respects in accordance with law; due and proper notice of such meeting was given; that a legal quorum of the members of the City Council was present throughout the meeting; and a majority of the members voted in the proper manner for the passage of the Ordinance.

3. The Ordinance will be in full force and effect five days after publication in the City’s official newspaper, which publication date is April ____, 2023.

Dated: April 3, 2023.

CITY OF CAMAS, WASHINGTON

City Clerk

CITY OF CAMAS, WASHINGTON

ORDINANCE NO. 23-003

AN ORDINANCE of the City of Camas, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of not to exceed \$20,000,000 aggregate principal amount of limited tax general obligation bonds to provide funds to finance parks redevelopment, facilities construction and rehabilitation, street construction and other capital improvements, and to pay the costs of issuance and sale of the bonds; fixing or setting parameters with respect to certain terms and covenants of the bonds; appointing the City's designated representative to approve the final terms of the sale of the bonds; and providing for other related matters.

Passed April 3, 2023

This document prepared by:

*Foster Garvey P.C.
1111 Third Avenue, Suite 3000
Seattle, Washington 98101
(206) 447-4400*

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**The cover page, table of contents and section headings of this ordinance are for convenience of reference only, and shall not be used to resolve any question of interpretation of this ordinance.*

CITY OF CAMAS, WASHINGTON

ORDINANCE NO. 23-003

AN ORDINANCE of the City of Camas, Washington, relating to contracting indebtedness; providing for the issuance, sale and delivery of not to exceed \$20,000,000 aggregate principal amount of limited tax general obligation bonds to provide funds to finance parks redevelopment, facilities construction and rehabilitation, street construction and other capital improvements, and to pay the costs of issuance and sale of the bonds; fixing or setting parameters with respect to certain terms and covenants of the bonds; appointing the City's designated representative to approve the final terms of the sale of the bonds; and providing for other related matters.

THE CITY COUNCIL OF THE CITY OF CAMAS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Definitions. As used in this ordinance, the following capitalized terms shall have the following meanings:

(a) “*Authorized Denomination*” means \$5,000 or any integral multiple thereof within a maturity of a Series.

(b) “*Beneficial Owner*” means, with respect to a Bond, the owner of any beneficial interest in that Bond.

(c) “*Bond*” means each bond issued pursuant to and for the purposes provided in this ordinance.

(d) “*Bond Counsel*” means the firm of Foster Garvey P.C., its successor, or any other attorney or firm of attorneys selected by the City with a nationally recognized standing as bond counsel in the field of municipal finance.

(e) “*Bond Fund*” means the Limited Tax General Obligation Bond Fund, 2023, of the City created for the payment of the principal of and interest on the Bonds.

(f) “*Bond Purchase Contract*” means an offer to purchase a Series of the Bonds, setting forth certain terms and conditions of the issuance, sale and delivery of those Bonds, which offer is authorized to be accepted by the Designated Representative on behalf of the City, if consistent with this ordinance.

(g) “*Bond Register*” means the books or records maintained by the Bond Registrar for the purpose of identifying ownership of each Bond.

(h) “*Bond Registrar*” means the Fiscal Agent, or any successor bond registrar selected by the City.

(i) “*City*” means the City of Camas, Washington, a municipal corporation duly organized and existing under the laws of the State.

(j) “*City Council*” means the legislative authority of the City, as duly and regularly constituted from time to time.

(k) “*Code*” means the United States Internal Revenue Code of 1986, as amended, and applicable rules and regulations promulgated thereunder.

(l) “*DTC*” means The Depository Trust Company, New York, New York, or its nominee.

(m) “*Designated Representative*” means the officer of the City appointed in Section 4 of this ordinance to serve as the City’s designated representative in accordance with RCW 39.46.040(2).

(n) “*Final Terms*” means the terms and conditions for the sale of a Series of the Bonds including the amount, date or dates, denominations, interest rate or rates (or mechanism for determining interest rate or rates), payment dates, final maturity, redemption rights, price, and other terms or covenants.

(o) “*Fiscal Agent*” means the fiscal agent of the State, as the same may be designated by the State from time to time.

(p) “*Government Obligations*” has the meaning given in RCW 39.53.010, as now in effect or as may hereafter be amended.

(q) “*Issue Date*” means, with respect to a Bond, the date of initial issuance and delivery of that Bond to the Purchaser in exchange for the purchase price of that Bond.

(r) “*Letter of Representations*” means the Blanket Issuer Letter of Representations between the City and DTC, dated October 12, 1998, as it may be amended from time to time, and any successor or substitute letter relating to the operational procedures of the Securities Depository.

(s) “*MSRB*” means the Municipal Securities Rulemaking Board.

(t) “*Official Statement*” means an offering document, disclosure document, private placement memorandum or substantially similar disclosure document provided to purchasers and potential purchasers in connection with the initial offering of a Series of the Bonds in conformance with Rule 15c2-12 or other applicable regulations of the SEC.

(u) “*Owner*” means, without distinction, the Registered Owner and the Beneficial Owner.

(v) “*Project*” means the redevelopment of parks, construction and rehabilitation of facilities, street construction, and other capital improvements as deemed necessary and advisable by the City. Incidental costs incurred in connection with carrying out and accomplishing the Project, consistent with RCW 39.46.070, may be included as costs of the Project.

(w) “*Project Fund*” means the fund(s) or account(s) of the City created or continued for the purpose of carrying out the Project.

(x) “*Purchaser*” means KeyBanc Capital Markets Inc., of Seattle, Washington, or such other corporation, firm, association, partnership, trust, bank, financial institution or other legal entity or group of entities selected by the Designated Representative to serve as purchaser in a private placement, or underwriter in a negotiated sale.

(y) “*Rating Agency*” means any nationally recognized rating agency then maintaining a rating on the Bonds at the request of the City.

(z) “*Record Date*” means the Bond Registrar’s close of business on the 15th day of the month preceding an interest payment date. With respect to redemption of a Bond prior to its maturity, the Record Date shall mean the Bond Registrar’s close of business on the date on which the Bond Registrar sends the notice of redemption in accordance with Section 9.

(aa) “*Registered Owner*” means, with respect to a Bond, the person in whose name that Bond is registered on the Bond Register. For so long as the City utilizes the book-entry only system for the Bonds under the Letter of Representations, Registered Owner shall mean the Securities Depository.

(bb) “*Rule 15c2-12*” means Rule 15c2-12 promulgated by the SEC under the Securities Exchange Act of 1934, as amended.

(cc) “*SEC*” means the United States Securities and Exchange Commission.

(dd) “*Securities Depository*” means DTC, any successor thereto, any substitute securities depository selected by the City that is qualified under applicable laws and regulations to provide the services proposed to be provided by it, or the nominee of any of the foregoing.

(ee) “*Series of the Bonds*” or “*Series*” means a series of the Bonds issued pursuant to this ordinance.

(ff) “*State*” means the State of Washington.

(gg) “*Term Bond*” means each Bond designated as a Term Bond and subject to mandatory redemption in the years and amounts set forth in the Bond Purchase Contract.

(hh) “*Undertaking*” means the undertaking to provide continuing disclosure entered into pursuant to Section 16 of this ordinance.

Section 2. Findings and Determinations. The City takes note of the following facts and makes the following findings and determinations:

(a) *Authority and Description of Project.* The City is in need of parks redevelopment, facilities construction and rehabilitation, street construction and other capital improvements. The City Council therefore finds that it is in the best interests of the City to carry out the Project.

(b) *Plan of Financing.* Pursuant to applicable law, including without limitation chapters 35.37, 35.40, 39.36, 39.44, 39.46 and 39.52 RCW, the City is authorized to issue general obligation bonds for the purpose of financing or reimbursing costs of the Project. The total expected cost of the Project is approximately \$20,000,000, which is expected to be made up of proceeds of the Bonds, grants, and other available money of the City.

(c) *Debt Capacity.* The maximum amount of indebtedness authorized by this ordinance is \$20,000,000. Based on the following facts, this amount is to be issued within the amount permitted to be issued by the City for general municipal purposes without a vote:

- (1) The assessed valuation of the taxable property within the City as ascertained by the last preceding assessment for City purposes for collection in the calendar year 2023 is \$7,276,498,632.
- (2) As of February 28, 2023, the City had limited tax general obligation indebtedness, consisting of bonds, note, loans, and conditional sales contracts outstanding in the principal amount of \$40,332,896, which is incurred within the limit of up to 1½% of the value of the taxable property within the City permitted for general municipal purposes without a vote.
- (3) As of February 28, 2023, the City had no unlimited tax general obligation indebtedness outstanding.

(d) *The Bonds.* For the purpose of providing the funds necessary to carry out the Project and to pay the costs of issuance and sale of the Bonds, the City Council finds that it is in the best interests of the City and its taxpayers to issue and sell the Bonds to the Purchaser, pursuant to the terms set forth as approved by the City's Designated Representative consistent with this ordinance.

Section 3. Authorization of Bonds. The City is authorized to borrow money on the credit of the City and issue negotiable limited tax general obligation bonds evidencing indebtedness in one or more Series in aggregate principal amount not to exceed \$20,000,000 to provide funds necessary to carry out the Project and to pay the costs of issuance and sale of the Bonds. The proceeds of the Bonds allocated to paying the cost of the Project shall be deposited as set forth in Section 8 of this ordinance and shall be used to carry out the Project, or a portion of the Project, in such order of time as the City determines is advisable and practicable.

Section 4. Description of Bonds; Appointment of Designated Representative. The City's Finance Director, or the City Administrator in the absence of the Finance Director, is appointed as the Designated Representative of the City and is authorized and directed to conduct the sale of the Bonds in the manner and upon the terms deemed most advantageous to the City, and to approve the Final Terms of each Series of the Bonds, with such additional terms and covenants as the Designated Representative deems advisable, within the following parameters:

(a) The Bonds may be issued in one or more Series, and the aggregate principal amount of the Bonds shall not exceed \$20,000,000;

(b) One or more rates of interest may be fixed for the Bonds as long as no rate of interest for any maturity of the Bonds exceeds 5.500%;

(c) The true interest cost to the City for each Series of Bonds does not exceed 5.000%;

(d) The aggregate purchase price for each Series of Bonds shall not be less than 97.0% and not more than 135.0% of the aggregate stated principal amount of the Bonds, excluding any original issue discount;

(e) The Bonds may be issued subject to optional and mandatory redemption provisions;

(f) Each Series shall mature no later than December 1, 2053; and

(g) The Bonds shall be dated as of the date of their delivery, which date and time for the issuance and delivery of the Bonds is not later than December 31, 2023.

In addition, a Series of the Bonds may not be issued if it would cause the indebtedness of the City to exceed the City's legal debt capacity on the Issue Date. The Designated Representative may determine whether it is in the City's best interest to provide for bond insurance or other credit enhancement; and may accept such additional terms, conditions and covenants as the Designated Representative may determine are in the best interests of the City, consistent with this ordinance.

In determining the number of series, the series designations, final principal amounts, date of the Bonds, denominations, interest rates, payment dates, redemption provisions, tax status, and maturity dates for the Bonds, the Designated Representative, in consultation with other City officials and staff and advisors, shall take into account those factors that, in the judgment of the Designated Representative, will result in the lowest true interest cost on the Bonds to their maturity, including, but not limited to current financial market conditions and current interest rates for obligations comparable to the Bonds.

Section 5. Bond Registrar; Registration and Transfer of Bonds.

(a) *Registration of Bonds.* Each Bond shall be issued only in registered form as to both principal and interest and the ownership of each Bond shall be recorded on the Bond Register.

(b) *Bond Registrar; Duties.* The Fiscal Agent is appointed as initial Bond Registrar. The Bond Registrar shall keep, or cause to be kept, sufficient books for the registration and transfer of the Bonds, which shall be open to inspection by the City at all times. The Bond Registrar is authorized, on behalf of the City, to authenticate and deliver Bonds transferred or exchanged in accordance with the provisions of the Bonds and this ordinance, to serve as the City's paying agent for the Bonds and to carry out all of the Bond Registrar's powers and duties under this ordinance. The Bond Registrar shall be responsible for its representations contained in the Bond Registrar's Certificate of Authentication on each Bond. The Bond Registrar may become an Owner with the same rights it would have if it were not the Bond Registrar and, to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as members of, or in any other capacity with respect to, any committee formed to protect the rights of Owners.

(c) *Bond Register; Transfer and Exchange.* The Bond Register shall contain the name and mailing address of each Registered Owner and the principal amount and number of each Bond held by each Registered Owner. A Bond surrendered to the Bond Registrar may be exchanged for a Bond or Bonds in any Authorized Denomination of an equal aggregate principal amount and of the same Series, interest rate and maturity. A Bond may be transferred only if endorsed in the manner provided thereon and surrendered to the Bond Registrar. Any exchange or transfer shall be without cost to the Owner or transferee. The Bond Registrar shall not be obligated to exchange any Bond or transfer registered ownership during the period between the applicable Record Date and the next upcoming interest payment or redemption date.

(d) *Securities Depository; Book-Entry Only Form.* DTC is appointed as initial Securities Depository and each such Bond initially shall be registered in the name of Cede & Co., as the nominee of DTC. Each Bond registered in the name of the Securities Depository shall be held fully immobilized in book-entry only form by the Securities Depository in accordance with the provisions of the Letter of Representations. Registered ownership of any Bond registered in the name of the Securities Depository may not be transferred except: (i) to any successor Securities Depository; (ii) to any substitute Securities Depository appointed by the City; or (iii) to any person if the Bond is no longer to be held in book-entry only form. Upon the resignation of the Securities Depository, or upon a termination of the services of the Securities Depository by the City, the City may appoint a substitute Securities Depository. If (i) the Securities Depository resigns and the City does not appoint a substitute Securities Depository, or (ii) the City terminates the services of the Securities Depository, the Bonds no longer shall be held in book-entry only form and the registered ownership of each Bond may be transferred to any person as provided in this ordinance.

Neither the City nor the Bond Registrar shall have any obligation to participants of any Securities Depository or the persons for whom they act as nominees regarding accuracy of any records maintained by the Securities Depository or its participants. Neither the City nor the Bond Registrar shall be responsible for any notice that is permitted or required to be given to a Registered Owner except such notice as is required to be given by the Bond Registrar to the Securities Depository.

Section 6. Form and Execution of Bonds.

(a) *Form of Bonds; Signatures and Seal.* Each Bond shall be prepared in a form consistent with the provisions of this ordinance and State law. Each Bond shall be signed by the Mayor or Mayor Pro Tem and the City Clerk, either or both of whose signatures may be manual or in facsimile, and the seal of the City or a facsimile reproduction thereof shall be impressed or printed thereon. If any officer whose manual or facsimile signature appears on a Bond ceases to be an officer of the City authorized to sign bonds before the Bond bearing such officer's manual or facsimile signature is authenticated by the Bond Registrar, or issued or delivered by the City, that Bond nevertheless may be authenticated, issued and delivered and, when authenticated, issued and delivered, shall be as binding on the City as though that person had continued to be an officer of the City authorized to sign bonds. Any Bond also may be signed on behalf of the City by any person who, on the actual date of signing of the Bond, is an officer of the City authorized to sign bonds, although such officer did not hold the required office on its Issue Date.

(b) *Authentication.* Only a Bond bearing a Certificate of Authentication in substantially the following form, manually signed by the Bond Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this ordinance: "Certificate of Authentication. This Bond is one of the fully registered City of Camas, Washington, Limited Tax General Obligation Bonds, 2023, described in the Bond Ordinance." The authorized signing of a Certificate of Authentication shall be conclusive evidence that the Bond so authenticated has been duly executed, authenticated and delivered and is entitled to the benefits of this ordinance.

Section 7. Payment of Bonds. Principal of and interest on each Bond shall be payable in lawful money of the United States of America. Principal of and interest on each Bond registered in the name of the Securities Depository is payable in the manner set forth in the Letter of Representations. Interest on each Bond not registered in the name of the Securities Depository is payable by electronic transfer on the interest payment date, or by check or draft of the Bond

Registrar mailed on the interest payment date to the Registered Owner at the address appearing on the Bond Register on the Record Date. However, the City is not required to make electronic transfers except pursuant to a request by a Registered Owner in writing received on or prior to the Record Date and at the sole expense of the Registered Owner. Principal of each Bond not registered in the name of the Securities Depository is payable upon presentation and surrender of the Bond by the Registered Owner to the Bond Registrar. The Bonds are not subject to acceleration under any circumstances.

Section 8. Funds and Accounts; Deposit of Proceeds.

(a) *Bond Fund.* The Bond Fund is created as a special fund of the City for the sole purpose of paying principal of and interest on the Bonds. All amounts allocated to the payment of the principal of and interest on the Bonds shall be deposited in the Bond Fund as necessary for the timely payment of amounts due with respect to the Bonds. The principal of and interest on the Bonds shall be paid out of the Bond Fund. Until needed for that purpose, the City may invest money in the Bond Fund temporarily in any legal investment, and the investment earnings shall be retained in the Bond Fund and used for the purposes of that fund.

(b) *Project Fund.* The Project Fund is created or continued as a fund of the City for the purpose of paying the costs of the Project. Proceeds received from the sale and delivery of the Bonds shall be deposited into the Project Fund and used to pay the costs of the Project and costs of issuance of the Bonds. Until needed to pay such costs, the City may invest those proceeds temporarily in any legal investment, and the investment earnings shall be retained in the Project Fund and used for the purposes of that fund, except that earnings subject to a federal tax or rebate requirement (if applicable) may be withdrawn from the Project Fund and used for those tax or rebate purposes.

Section 9. Redemption Provisions and Purchase of Bonds.

(a) *Optional Redemption.* The Bonds shall be subject to redemption at the option of the City on terms acceptable to the Designated Representative, as set forth in the Bond Purchase Contract, consistent with the parameters set forth in Section 4.

(b) *Mandatory Redemption.* Each Bond that is designated as a Term Bond in the Bond Purchase Contract, consistent with the parameters set forth in Section 4 and except as set forth below, shall be called for redemption at a price equal to the stated principal amount to be redeemed, plus accrued interest, on the dates and in the amounts as set forth in the Bond Purchase Contract. If a Term Bond is redeemed under the optional redemption provisions, defeased or purchased by the City and surrendered for cancellation, the principal amount of the Term Bond so redeemed, defeased or purchased (irrespective of its actual redemption or purchase price) shall be credited against one or more scheduled mandatory redemption installments for that Term Bond. The City shall determine the manner in which the credit is to be allocated and shall notify the Bond Registrar in writing of its allocation prior to the earliest mandatory redemption date for that Term Bond for which notice of redemption has not already been given.

(c) *Selection of Bonds for Redemption; Partial Redemption.* If fewer than all of the outstanding Bonds are to be redeemed at the option of the City, the City shall select the Series and maturities to be redeemed. If fewer than all of the outstanding Bonds of a maturity of a Series are to be redeemed, the Securities Depository shall select Bonds registered in the name of the

Securities Depository to be redeemed in accordance with the Letter of Representations, and the Bond Registrar shall select all other Bonds to be redeemed randomly in such manner as the Bond Registrar shall determine. All or a portion of the principal amount of any Bond that is to be redeemed may be redeemed in any Authorized Denomination. If less than all of the outstanding principal amount of any Bond is redeemed, upon surrender of that Bond to the Bond Registrar, there shall be issued to the Registered Owner, without charge, a new Bond (or Bonds, at the option of the Registered Owner) of the same Series, maturity and interest rate in any Authorized Denomination in the aggregate principal amount to remain outstanding.

(d) *Notice of Redemption.* Notice of redemption of each Bond registered in the name of the Securities Depository shall be given in accordance with the Letter of Representations. Notice of redemption of each other Bond, unless waived by the Registered Owner, shall be given by the Bond Registrar not less than 20 nor more than 60 days prior to the date fixed for redemption by first-class mail, postage prepaid, to the Registered Owner at the address appearing on the Bond Register on the Record Date. The requirements of the preceding sentence shall be satisfied when notice has been mailed as so provided, whether or not it is actually received by an Owner. In addition, the redemption notice shall be mailed or sent electronically within the same period to the MSRB (if required under the Undertaking), to each Rating Agency, and to such other persons and with such additional information as the Finance Director shall determine, but these additional mailings shall not be a condition precedent to the redemption of any Bond.

(e) *Rescission of Optional Redemption Notice.* In the case of an optional redemption, the notice of redemption may state that the City retains the right to rescind the redemption notice and the redemption by giving a notice of rescission to the affected Registered Owners at any time on or prior to the date fixed for redemption. Any notice of optional redemption that is so rescinded shall be of no effect, and each Bond for which a notice of optional redemption has been rescinded shall remain outstanding.

(f) *Effect of Redemption.* Interest on each Bond called for redemption shall cease to accrue on the date fixed for redemption, unless either the notice of optional redemption is rescinded as set forth above, or money sufficient to effect such redemption is not on deposit in the Bond Fund or in a trust account established to refund or defease the Bond.

(g) *Purchase of Bonds.* The City reserves the right to purchase any or all of the Bonds offered to the City at any time at any price acceptable to the City plus accrued interest to the date of purchase.

Section 10. Failure To Pay Bonds. If the principal of any Bond is not paid when the Bond is properly presented at its maturity or date fixed for redemption, the City shall be obligated to pay interest on that Bond at the same rate provided in the Bond from and after its maturity or date fixed for redemption until that Bond, both principal and interest, is paid in full or until sufficient money for its payment in full is on deposit in the Bond Fund, or in a trust account established to refund or defease the Bond, and the Bond has been called for payment by giving notice of that call to the Registered Owner.

Section 11. Pledge of Taxes. The Bonds constitute a general indebtedness of the City and are payable from tax revenues of the City and such other money as is lawfully available and pledged by the City for the payment of principal of and interest on the Bonds. For as long as any of the Bonds are outstanding, the City irrevocably pledges that it shall, in the manner provided by

law within the constitutional and statutory limitations provided by law without the assent of the voters, include in its annual property tax levy amounts sufficient, together with other money that is lawfully available, to pay principal of and interest on the Bonds as the same become due. The full faith, credit and resources of the City are pledged irrevocably for the prompt payment of the principal of and interest on the Bonds and such pledge shall be enforceable in mandamus against the City.

Section 12. Tax Covenants.

(a) *Preservation of Tax Exemption for Interest on Bonds.* The City covenants that it will take all actions necessary to prevent interest on the Bonds from being included in gross income for federal income tax purposes, and it will neither take any action nor make or permit any use of proceeds of the Bonds or other funds of the City treated as proceeds of the Bonds that will cause interest on the Bonds to be included in gross income for federal income tax purposes. The City also covenants that it will, to the extent the arbitrage rebate requirements of Section 148 of the Code are applicable to the Bonds, take all actions necessary to comply (or to be treated as having complied) with those requirements in connection with the Bonds.

(b) *Post-Issuance Compliance.* The Finance Director is authorized and directed to review and revise the City's written procedures to facilitate compliance by the City with the covenants in this ordinance and the applicable requirements of the Code that must be satisfied after the Issue Date to prevent interest on the Bonds from being included in gross income for federal tax purposes.

(c) *Designation of Bonds as "Qualified Tax-Exempt Obligations."* A Series of the Bonds may be designated as "qualified tax-exempt obligations" for the purposes of Section 265(b)(3) of the Code, if the following conditions are met:

- (1) the Series do not constitute "private activity bonds" within the meaning of Section 141 of the Code;
- (2) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds and other obligations not required to be included in such calculation) that the City and any entity subordinate to the City (including any entity that the City controls, that derives its authority to issue tax-exempt obligations from the City, or that issues tax-exempt obligations on behalf of the City) will issue during the calendar year in which the Series is issued will not exceed \$10,000,000; and
- (3) the amount of tax-exempt obligations, including the Series, designated by the City as "qualified tax-exempt obligations" for the purposes of Section 265(b)(3) of the Code during the calendar year in which the Series is issued does not exceed \$10,000,000.

Section 13. Refunding or Defeasance of the Bonds. The City may issue refunding bonds pursuant to State law or use money available from any other lawful source to carry out a refunding or defeasance plan, which may include (a) paying when due the principal of and interest on any or all of the Bonds (the "defeased Bonds"); (b) redeeming the defeased Bonds prior to their maturity; and (c) paying the costs of the refunding or defeasance. If the City sets aside in a special

trust fund or escrow account irrevocably pledged to that redemption or defeasance (the “trust account”), money and/or Government Obligations maturing at a time or times and bearing interest in amounts sufficient to redeem, refund or defease the defeased Bonds in accordance with their terms, then all right and interest of the Owners of the defeased Bonds in the covenants of this ordinance and in the funds and accounts obligated to the payment of the defeased Bonds shall cease and become void. Thereafter, the Owners of defeased Bonds shall have the right to receive payment of the principal of and interest on the defeased Bonds solely from the trust account and the defeased Bonds shall be deemed no longer outstanding. In that event, the City may apply money remaining in any fund or account (other than the trust account) established for the payment or redemption of the defeased Bonds to any lawful purpose.

Unless otherwise specified by the City in a refunding or defeasance plan, notice of refunding or defeasance shall be given, and selection of Bonds for any partial refunding or defeasance shall be conducted, in the manner prescribed in this ordinance for the redemption of Bonds.

Section 14. Sale and Delivery of the Bonds.

(a) *Manner of Sale of Bonds; Delivery of Bonds.* The Designated Representative is authorized to sell each Series of the Bonds by negotiated sale or private placement based on the assessment of the Designated Representative of market conditions, in consultation with appropriate City officials and staff, Bond Counsel and other advisors. In determining the method of sale of a Series and accepting the Final Terms, the Designated Representative shall take into account those factors that, in the judgment of the Designated Representative, may be expected to result in the lowest true interest cost to the City.

(b) *Procedure for Negotiated Sale or Private Placement.* If the Designated Representative determines that a Series of the Bonds is to be sold by negotiated sale or private placement, the Designated Representative shall select one or more Purchasers with which to negotiate such sale. The Bond Purchase Contract for each Series of the Bonds shall set forth the Final Terms. The Designated Representative is authorized to execute the Bond Purchase Contract on behalf of the City, so long as the terms provided therein are consistent with the terms of this ordinance.

(c) *Preparation, Execution and Delivery of the Bonds.* The Bonds will be prepared at City expense and will be delivered to the Purchaser in accordance with the Bond Purchase Contract, together with the approving legal opinion of Bond Counsel regarding the Bonds.

Section 15. Official Statement.

(a) *Preliminary Official Statement Deemed Final.* The Designated Representative shall review and, if acceptable, approve the preliminary Official Statement prepared in connection with each sale of a Series of the Bonds to the public or through a Purchaser as a placement agent. For the sole purpose of the Purchaser’s compliance with paragraph (b)(1) of Rule 15c2-12, if applicable, the Designated Representative is authorized to deem that preliminary Official Statement final as of its date, except for the omission of information permitted to be omitted by Rule 15c2-12. The City approves the distribution to potential purchasers of the Bonds of a preliminary Official Statement that has been approved by the Designated Representative and been deemed final, if applicable, in accordance with this subsection.

(b) *Approval of Final Official Statement.* The City approves the preparation of a final Official Statement for each Series of the Bonds to be sold to the public in the form of the preliminary Official Statement that has been approved and deemed final in accordance with subsection (a), with such modifications and amendments as the Designated Representative deems necessary or desirable, and further authorizes the Designated Representative to execute and deliver such final Official Statement to the Purchaser if required under Rule 15c2-12. The City authorizes and approves the distribution by the Purchaser of the final Official Statement so executed and delivered to purchasers and potential purchasers of a Series of the Bonds.

Section 16. Undertaking to Provide Continuing Disclosure. To meet the requirements of paragraph (b)(5) of Rule 15c2-12, as applicable to a participating underwriter for the Bonds, the City makes the following written undertaking (the “Undertaking”) for the benefit of holders of the Bonds:

(a) *Undertaking to Provide Annual Financial Information and Notice of Listed Events.* The City undertakes to provide or cause to be provided, either directly or through a designated agent, to the MSRB, in an electronic format as prescribed by the MSRB, accompanied by identifying information as prescribed by the MSRB:

(1) Annual financial information and operating data of the type included in the final official statement for the Bonds and described in paragraph (b) (“annual financial information”);

(2) Timely notice (not in excess of 10 business days after the occurrence of the event) of the occurrence of any of the following events with respect to the Bonds: (A) principal and interest payment delinquencies; (B) non-payment related defaults, if material; (C) unscheduled draws on debt service reserves reflecting financial difficulties; (D) unscheduled draws on credit enhancements reflecting financial difficulties; (E) substitution of credit or liquidity providers, or their failure to perform; (F) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notice of Proposed Issue (IRS Form 5701 – TEB) or other material notices or determinations with respect to the tax status of the Bonds; (G) modifications to rights of holders of the Bonds, if material; (H) bond calls (other than scheduled mandatory redemptions of Term Bonds), if material, and tender offers; (I) defeasances; (J) release, substitution, or sale of property securing repayment of the Bonds, if material; (K) rating changes; (L) bankruptcy, insolvency, receivership or similar event of the City, as such “Bankruptcy Events” are defined in Rule 15c2-12; (M) the consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; (N) appointment of a successor or additional trustee or the change of name of a trustee, if material; (O) incurrence of a financial obligation of the City or obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the City or obligated person, any of which affect security holders, if material; and (P) default, event of acceleration, termination event, modification of terms, or other similar events under the terms of the financial obligation of the City or obligated person, any of which reflect financial difficulties. The term “financial obligation” means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of

(i) or (ii). The term “financial obligation” shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with Rule 15c2-12.

(3) Timely notice of a failure by the City to provide required annual financial information on or before the date specified in paragraph (b).

(b) Type of Annual Financial Information Undertaken to be Provided. The annual financial information that the City undertakes to provide in paragraph (a):

(1) Shall consist of (A) annual financial statements prepared (except as noted in the financial statements) in accordance with applicable generally accepted accounting principles applicable to local governmental units of the State such as the City, as such principles may be changed from time to time, which statements may be unaudited, provided, that if and when audited financial statements are prepared and available they will be provided; (B) principal amount of general obligation bonds outstanding at the end of the applicable fiscal year; (C) assessed valuation for that fiscal year; and (D) regular property tax levy rate and regular property tax levy rate limit for the fiscal year;

(2) Shall be provided not later than the last day of the ninth month after the end of each fiscal year of the City (currently, a fiscal year ending December 31), as such fiscal year may be changed as required or permitted by State law, commencing with the City’s fiscal year ending December 31, 2023; and

(3) May be provided in a single or multiple documents, and may be incorporated by specific reference to documents available to the public on the Internet website of the MSRB or filed with the SEC.

(c) Amendment of Undertaking. This Undertaking is subject to amendment after the primary offering of the Bonds without the consent of any holder of any Bond, or of any broker, dealer, municipal securities dealer, participating underwriter, Rating Agency or the MSRB, under the circumstances and in the manner permitted by Rule 15c2-12. The City will give notice to the MSRB of the substance (or provide a copy) of any amendment to the Undertaking and a brief statement of the reasons for the amendment. If the amendment changes the type of annual financial information to be provided, the annual financial information containing the amended financial information will include a narrative explanation of the effect of that change on the type of information to be provided.

(d) Beneficiaries. This Undertaking shall inure to the benefit of the City and the holder of each Bond, and shall not inure to the benefit of or create any rights in any other person.

(e) Termination of Undertaking. The City’s obligations under this Undertaking shall terminate upon the redemption, maturity or legal defeasance of all of the Bonds. In addition, the City’s obligations under this Undertaking shall terminate if the provisions of Rule 15c2-12 that require the City to comply with this Undertaking become legally inapplicable in respect of the Bonds for any reason, as confirmed by an opinion of Bond Counsel delivered to the City, and the City provides timely notice of such termination to the MSRB.

(f) Remedy for Failure to Comply with Undertaking. As soon as practicable after the City learns of any failure to comply with this Undertaking, the City will proceed with due diligence

to cause such noncompliance to be corrected. No failure by the City or other obligated person to comply with this Undertaking shall constitute an event of default. The sole remedy of any holder of a Bond shall be to take action to compel the City or other obligated person to comply with this Undertaking, including seeking an order of specific performance from an appropriate court.

(g) Designation of Official Responsible to Administer Undertaking. The Finance Director or the designee of the Finance Director is the person designated, in accordance with the Bond Ordinance, to carry out the Undertaking in accordance with Rule 15c2-12, including, without limitation, the following actions:

(1) Preparing and filing the annual financial information undertaken to be provided;

(2) Determining whether any event specified in paragraph (a) has occurred, assessing its materiality, where necessary, with respect to the Bonds, and preparing and disseminating any required notice of its occurrence;

(3) Determining whether any person other than the City is an “obligated person” within the meaning of Rule 15c2-12 with respect to the Bonds, and obtaining from such person an undertaking to provide any annual financial information and notice of listed events for that person required under Rule 15c2-12;

(4) Selecting, engaging and compensating designated agents and consultants, including financial advisors and legal counsel, to assist and advise the City in carrying out this Undertaking; and

(5) Effecting any necessary amendment of this undertaking.

Section 17. Supplemental and Amendatory Ordinances. The City may supplement or amend this ordinance for any one or more of the following purposes without the consent of any Owners of the Bonds:

(a) To add covenants and agreements that do not materially adversely affect the interests of Owners, or to surrender any right or power reserved to or conferred upon the City.

(b) To cure any ambiguities, or to cure, correct or supplement any defective provision contained in this ordinance in a manner that does not materially adversely affect the interest of the Beneficial Owners of the Bonds.

Section 18. General Authorization and Ratification. The Mayor (or Mayor Pro Tem), City Administrator, City Clerk, Designated Representative and other appropriate officers of the City are severally authorized to take such actions and to execute such documents as in their judgment may be necessary or desirable to carry out the transactions contemplated in connection with this ordinance, and to do everything necessary for the prompt delivery of each Series of the Bonds to the Purchaser thereof and for the proper application, use and investment of the proceeds of the Bonds. All actions taken prior to the effective date of this ordinance in furtherance of the purposes described in this ordinance and not inconsistent with the terms of this ordinance are ratified and confirmed in all respects.

Section 19. Severability. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, such offending provision shall, if feasible, be deemed to be modified to be within the limits of enforceability or validity. However, if the offending provision cannot be so modified, it shall be null and void with respect to the particular person or circumstance, and all other provisions of this ordinance in all other respects, and the offending provision with respect to all other persons and all other circumstances, shall remain valid and enforceable.

Section 20. Effective Date of Ordinance. This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law.

PASSED by the City Council and APPROVED by the Mayor of the City of Camas, Washington, at an open public meeting thereof, this 3rd day of April, 2023.



Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



Bond Counsel

CERTIFICATION

I, the undersigned, City Clerk of the City of Camas, Washington (the "City"), hereby certify as follows:


1. The attached copy of Ordinance No. 23-003 (the "Ordinance") is a full, true and correct copy of an ordinance duly passed at a regular meeting of the City Council of the City held at the regular meeting place thereof on April 3, 2023, as that ordinance appears on the minute book of the City.

2. That said meeting was duly convened, held and included an opportunity for public comment, in all respects in accordance with law; due and proper notice of such meeting was given; that a legal quorum of the members of the City Council was present throughout the meeting; and a majority of the members voted in the proper manner for the passage of the Ordinance.

3. The Ordinance will be in full force and effect five days after publication in the City's official newspaper, which publication date is April 13, 2023.

Dated: April 3, 2023.

CITY OF CAMAS, WASHINGTON



City Clerk



Staff Report

April 3, 2023 Council Regular Meeting

Ordinance No. 23-003 - 2023 Limited General Obligation Bond

Presenter: Cathy Huber Nickerson, Finance Director

Time Estimate: 5 minutes

Phone	Email
360.817.1537	chuber@cityofcamas.us

BACKGROUND: : The City of Camas is redeveloping Crown Park, constructing 38th Avenue Phase 3, and addressing facility assessment projects. In determining the best option for funding these items, staff examined the cost of issuing limited general obligation bonds. Staff found the cost of issuing limited general obligation bonds to continue to be at historical lows and are recommending Council consider issuing bonds. The total the City would borrow would be \$15,000,000 of which approximately \$13,000,000 would be limited general obligation bonds and the rest may be the premium proceeds from the sale of the bonds.

There is also the potential to issue an additional \$5,000,000 for the fire station headquarters upsize and relocation.

SUMMARY: This Ordinance authorizes the City to provide for the issuance, sale and delivery of a not to exceed \$20,000,000 million limited tax general obligation bonds to finance parks development, facilities construction and rehabilitation, street construction and other capital improvements. The Ordinance also provides for the cost of issuance and sale of the bonds: setting up parameters for the terms and covenants of the bonds; appointing the City’s designated representative to approve final terms.

BENEFITS TO THE COMMUNITY: The benefit of funding the projects in 2023 would be twofold, lower debt borrowing costs and potentially cost avoidance of higher inflation.

POTENTIAL CHALLENGES: The financial markets may change before issuance and staff may need to reschedule or consider other financing options.

BUDGET IMPACT: This agenda item was included in the approved 2023-2024 biennial budget for funding the Crown Park , 38th Ave. Construction Phase 3, and Facility Assessment Projects.

RECOMMENDATION: Staff recommends Council move to approve Ordinance No. 23-003.