

RESOLUTION NO. 3849

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBANY, OREGON APPROVING OF REVENUE BONDS, SERIES 1997 (MENNONITE HOME OF ALBANY, INC. PROJECT) IN AN AMOUNT NOT EXCEEDING \$5,000,000 BY THE HOSPITAL FACILITY AUTHORITY OF THE CITY OF ALBANY, OREGON.

WHEREAS, Mennonite Home of Albany, Inc. ("Mennonite Home") has requested the Hospital Facility Authority of the City of Albany, Oregon (the "Authority") to issue Revenue Bonds, Series 1997 (the "Series 1997 Bonds") for and in the name of the Authority in an amount not exceeding \$5,000,000 for the purpose of providing funds for the following projects:

- (1) the construction and equipping of two 14-unit special care facilities located within the existing facilities;
- (2) the costs of sewer, water and street improvements and the construction of additional detached independent adult congregate living facilities within the existing Mennonite Village;
- (3) the construction and equipping of a community center;
- (4) to fund a portion of the Debt Service Reserve Fund;
- (5) to finance the capitalized interest on a portion of the 1997 Bonds;
- (6) to reimburse the Mennonite Home of Albany, Inc. (the "Home") for prior capital expenditures of the Home for the 1997 Project; and
- (7) to pay certain costs of issuance of the 1997 Bonds.

The total estimated cost of the Project, including the cost of issuing the 1997 Bonds will not exceed \$5,000,000.

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code") authorizes the issuance of revenue bonds for hospital facilities or adult congregate care facilities of a "qualified 501(c)(3) entity". Mennonite Home is a qualified 501(c)(3) entity. Section 147(f) of the Code requires that qualified 501(c)(3) bonds be approved by the elected representatives of the governmental unit on behalf of which such Series 1997 Bonds are to be issued, and as the governmental unit having jurisdiction over the area in which the Mennonite Home is located. In order for the Authority to issue the Bonds, it is necessary that the City Council of the City of Albany, Oregon as the elected representatives of the governmental unit approve the issuance of the Series 1997 Bonds.

WHEREAS, on August 20, 1997 the Authority conducted a public hearing, notice of which was published on August 4, 1997 in *The Albany Democrat-Herald*. The public hearing is intended to provide a reasonable opportunity for the residents of the City of Albany, Oregon to be heard by the governmental

unit issuing the Bonds and the governmental unit having jurisdiction over the area where Mennonite Home is located. No members of the public were present and no comments, oral or written, were received by the Authority.

WHEREAS, on August 20, 1997 after conducting the Public Hearing, the Authority adopted a Bond Resolution in which the Authority authorized the issuance and negotiated sale of Revenue Bonds, Series 1997 pursuant to law and to loan the proceeds to Mennonite Home, subject to the approval by the City Council of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALBANY, OREGON:

Section 1. The City Council, as the elected representatives of the governmental unit from which the Authority derived its power and authority and on behalf of which the Series 1997 Bonds are to be issued, and as the governmental unit having jurisdiction over the area in which Mennonite Home is located, approves of the issuance of the Series 1997 Bonds by the Hospital Facility Authority of the City of Albany, Oregon.

ADOPTED by the City Council this 27th day of August, 1997.

CITY OF ALBANY, OREGON

By 
Mayor

ATTEST:

By 
City Recorder