

ORDINANCE 736 N.S.

AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY
OF NOT TO EXCEED \$4,115,000 OF CITY OF PIEDMONT LIMITED
OBLIGATION REFUNDING BONDS; AND AUTHORIZING RELATED
ACTIONS

The City Council of the City of Piedmont hereby ordains:

SECTION 1. RECITALS

a. The City Council of the City of Piedmont (“City”), previously issued the following obligations (collectively, the “Prior Bonds”), in each case, payable from assessments levied on the parcels within the applicable assessment district: (i) City of Piedmont : Dudley/Blair/Mountain/Pacific/Hagar & Vicinity Undergrounding Assessment District Limited Obligation Improvement Bonds, Series 2002-A, (ii) City of Piedmont : Wildwood/Crocker Avenues Undergrounding Assessment District Limited Obligation Improvement Bonds, Series 2005-A, and (iii) City of Piedmont : Piedmont Hills Underground Assessment District Limited Obligation Improvement Bonds Series 2009-A.

b. Section 2.11(5) of the Charter of the City of Piedmont provides that the City Council may only authorize the borrowing of money pursuant to the adoption of an ordinance.

c. The City Council wishes by this ordinance to authorize the issuance of a series of bonds, under and pursuant to the Refunding Act of 1984 for 1915 Improvement Act Bonds, Division 11.5 of the Streets and Highways Code of California (“Act”), to be designated the “City of Piedmont Limited Obligation Refunding Bonds, Reassessment District No. 2017-1” (“Bonds”), or such other similar designation and payable from the reassessments to be levied on the parcels within said reassessment district.

d. The Bonds are expected to be sold to a bank or other financial institution in a private placement transaction, with the proceeds being used to defease and redeem the Prior Bonds, and to pay the costs of issuing the Bonds.

e. Additional proceedings will be brought before the City Council in the future related to the establishment of Reassessment District No. 2017-1 and the pledge of reassessments levied therein as security for the repayment of the Bonds.

f. Being fully advised in the matter of the financing, the City Council wishes to proceed with the implementation of said financing.

SECTION 2. ISSUANCE OF BONDS AUTHORIZED.

Pursuant to the Act, the Bonds shall be issued in the aggregate principal amount not to exceed \$4,115,000 and payable from the reassessments to be levied on the parcels within said reassessment district; provided, however, that all of the requirements of the Act for the issuance

of the Bonds shall be satisfied. Additional details regarding the Bonds shall be set forth in one or more resolutions to be approved by the City Council at a later date.

SECTION 3. LIMITED OBLIGATION.

The Bonds shall not be general obligations of the City, but shall be limited obligations, payable solely from the reassessments and the funds pledged therefore pursuant to the authorizing resolution for the Bonds. Neither the faith and credit of the City nor of the State of California or any political subdivision thereof shall be pledged to the payment of the Bonds. The Bonds shall be "Limited Obligation Refunding Improvement Bonds" and shall be payable solely from and secured solely by the reassessments and the amounts in certain funds created under the authorizing resolution for the Bonds.

SECTION 4. GENERAL AUTHORIZATION RESPECTING OTHER ACTIONS.

The City Administrator, or his or her designee, is hereby authorized and directed, jointly and severally, to do any and all things, to take such actions, and to execute and deliver any and all documents, including but not limited to agreements, certificates and opinions which they may deem necessary or advisable in consultation with the City Attorney, and Jones Hall, A Professional Law Corporation, as the City's bond counsel, in order to carry out, give effect to and comply with the terms and intent of this ordinance.

SECTION 5. EFFECTIVE DATE OF ORDINANCE.

This ordinance shall be posted at City Hall after its second reading and adoption by the City Council for at least 30 days and shall become effective 30 days after its adoption.

I certify that the foregoing ordinance was passed and adopted as a part of the consent calendar by Resolution 96-17 at the regular meeting of the City Council of the City of Piedmont on November 20, 2017, by the following vote:

Ayes:	Andersen, Cavanaugh, King, Rood
Noes:	None
Absent:	None
Recused:	McBain

Attest: _____
John O. Tulloch, City Clerk