

JANUARY 15, 1981

The City Council of the City of Idaho Falls, Bonneville County, Idaho, met in adjourned regular public session at the regular meeting place of the Council in the Council Chamber at the City Electric Building, 140 South Capital Avenue, in the City of Idaho Falls, Idaho, at 5:30 P.M. on January 15, 1981. The roll was called and the following found to be present:

Thomas V. Campbell,	Mayor
Melvin L. Erickson,	Councilman
Paul L. Hovey,	Councilman
Ralph M. Wood,	Councilman
Sam Sakaguchi,	Councilman
Arthur R. Chandler, Jr.,	Councilman

Absent: Wesley W. Deist, Councilman

There was also present:

Velma Chandler,	City Clerk
G.S. Harrison,	Manager, Electric Light Division
A.L. Smith,	City Attorney
J.S. Paine,	Chief Engineer, Electric Light Div.
J.D. Evans,	City Controller

The Mayor then stated that the purpose of the adjourned meeting was to consider the authorization and sale of \$40,260,000.00 Electric Revenue Bonds of the City.

Ordinance No. 1671 was thereupon introduced in written form by Councilman Hovey and was read by title. Councilman Wood moved that the rule requiring the reading of the ordinance three different days be dispensed with and the motion was adopted by the vote of not less than one-half plus one of the members of the full Council, to-wit:

Aye:	Arthur R. Chandler,	Councilman
	Melvin L. Erickson,	Councilman
	Paul L. Hovey,	Councilman
	Sam Sakaguchi,	Councilman
	Ralph Wood,	Councilman

Nay: None.

Ordinance No. 1671 was thereupon read again by title and was then read the third time by title, after which, pursuant to motion made by Councilman Hovey and seconded by Chandler, Ordinance No. 1671 was adopted by the following vote:

Aye:	Arthur R. Chandler,	Councilman
	Melvin L. Erickson,	Councilman
	Paul L. Hovey,	Councilman
	Sam Sakaguchi,	Councilman
	Ralph M. Wood,	Councilman

None: None.

Ordinance No. 1671 was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was ordered recorded, caption of which is as follows:

ORDINANCE NO. 1671
PROVIDING FOR THE ISSUANCE OF
ELECTRIC REVENUE BONDS

WHEREAS, by Ordinance No. 1574 duly adopted on March 27, 1979, the Mayor and City Council of the City of Idaho Falls, Bonneville County, Idaho (the "City"), determined that it was necessary that the City, undertake the rehabilitation of its existing electrical generating facilities by reconstructing, replacing and bettering such existing generating facilities, properties and other related structures, together with all necessary equipment and appurtenances related thereto, and to finance the cost of such rehabilitation by the issuance of revenue bonds as authorized by law; and

WHEREAS, pursuant to Ordinance No. 1574, duly adopted on March 27, 1979, the City provided for the issuance of Electric Revenue Bonds and pursuant to Ordinance No. 1575, duly adopted on March 27, 1979, the City authorized and has now outstanding its \$36,150,000 Electric Revenue Bonds, Series 1979, to pay the cost of such rehabilitation of its existing electrical generating facilities; and

WHEREAS, it had been deemed necessary for the City to refund the outstanding Electric Revenue Bonds, Series 1979, as permitted in Section 57-504, Idaho Code, and to provide for the defeasance thereof as provided in Section 11.01 (B) of Ordinance No. 1574, and in connection therewith to provide for the issuance of electric revenue bonds of the City as authorized by law to complete the rehabilitation of its existing electrical generating facilities.

Thereupon, the City Attorney of the City presented a Purchase Agreement to the Council providing for the sale by the City to Kirchner Moore & Company and Associates, of Denver, Colorado, of \$40,260,000 Electric Revenue Bonds, Series 1981, of the City. The Purchase Agreement, together with attached exhibits, was accepted and ordered to be placed on file in the office of City Clerk.

On motion made by Councilman Hovey, seconded by Councilman Wood, and unanimously adopted, it was determined to sell the \$40,260,000 Electric Bonds, Series 1981, of the City to Kirchner Moore and Company and Associates, pursuant to the terms and conditions set forth in the Purchase Agreement.

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Ordinance No. 1672 was thereupon introduced in written form by Councilman Hovey and was read by title. Councilman Wood moved that the rule requiring the reading of the ordinance three different days be dispensed with and the motion was adopted by the vote of not less than one-half plus one of the members of the full Council, to-wit:

Aye:	Arthur R. Chandler,	Councilman
	Melvin I. Erickson,	Councilman
	Paul L. Hovey,	Councilman
	Sam S. Sakaguchi,	Councilman
	Ralph M. Wood,	Councilman

Nay: None.

Ordinance No. 1672 was thereupon read again by title and was then read the third time by title, after which, pursuant to motion made by Councilman Hovey, and seconded by Councilman Chandler, Ordinance No. 1672 was adopted by the following vote:

Aye:	Arthur R. Chandler,	Councilman
	Melvin R. Erickson,	Councilman
	Paul L. Hovey,	Councilman
	Sam S. Sakaguchi,	Councilman
	Ralph Wood,	Councilman

Nay: None.

Ordinance No. 1672 was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was ordered recorded, caption of which is as follows:

ORDINANCE NO. 1672

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$11,850,000 ELECTRIC REVENUE BONDS, SERIES 1981A AND \$28,410,000 ELECTRIC REFUNDING REVENUE BONDS, SERIES 1981B, OF THE CITY OF IDAHO FALLS, IDAHO.

* * * * * * * * * * * * * * *

WHEREAS, on March 27, 1979, the Mayor and Council of the City of Idaho Falls, Idaho ("City"), adopted Ordinance No. 1574 Providing for the Issuance of Electric Revenue bonds ("Ordinance No. 1574"); and

WHEREAS, in order to obtain funds with which to acquire a project consisting of the rehabilitation of the existing electric generating facilities of the City ("Rehabilitation Project"), the City issued and sold its \$36,150,000 No. 1574 and Ordinance No. 1575 Authorizing the Issuance and Sale of \$36,150,000 Electric Revenue Bonds, Series 1979, as amended by

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Ordinance No. 1577 (Ordinance No. 1575, as so amended, is hereinafter referred to as "Ordinance No. 1575"), being part of a total voted authorization of \$48,000.000; and

WHEREAS, the Cost of Construction (as defined in Ordinance NO. 1574) of the Rehabilitation Project is expected to exceed the proceeds of the Series 1979 Bonds and other moneys available to the City for the payment of such costs; and

WHEREAS, the Mayor and Council of the City consider it desirable and necessary for the benefit of the City and the electric ratepayers of the City to refund the Series 1979 Bonds pursuant to authority contained in Chapter 5, Title 57, of the Idaho Code, and in order to provide for such refunding, on January 15, 1984, the Mayor and Council of the City adopted Ordinance No. 1671 providing for the issuance of Electric Revenue Bonds ("Ordinance No. 1671"); and

WHEREAS, pursuant to the provisions of Ordinance No. 1671, the Mayor and Council consider it necessary and desirable for the benefit of the City and the electric ratepayers of the City to refund and provide for the defeasance of the Series 1979 Bonds and to combine with the refunding bonds so proposed to be issued electric revenue bonds in an amount sufficient to pay the remaining Cost of Construction of the Rehabilitation Project, all as provided under the provisions of Ordinance No. 1671 constituting the balance of the total voted authorization of \$48,000,000.

The Mayor announced that it was necessary to adopt a resolution approving the execution, terms and provisions of an Escrow Agreement by and between the City and the City and the Idaho First National Bank, in Boise, Idaho, as escrow agent, as provided in Section 403 of Ordinance No. 1672, previously adopted by the Council. Copies of the form of Escrow Agreement were distributed to and considered by the members of the Council present at the meeting. Thereupon, the following resolution was introduced in written form by Attorney Arthur Smith, was read in full by the City Clerk, and after discussion pursuant to motion made by Councilman Hovey and seconded by Wood, was adopted by the following vote:

Aye:	Arthur R. Chandler,	Councilman
	Melvin L. Erickson,	Councilman
	Paul L. Hovey,	Councilman
	Sam Sakaguchi,	Councilman
	Ralph M. Wood,	Councilman

Section 2. That all resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall take effect and be in full force immediately upon its passage and approval.

ADOPTED AND APPROVED, this 15th day of January, 1981.

s/ Thomas Campbell
Mayor

ATTEST:

s/ Velma Chandler
City Clerk

(SEAL)

The Mayor then announced that it was necessary to adopt a resolution authorizing the execution by various officers of the City of an arbitrage certificate in connection with the issuance by the City of its \$40,260,000.00 Electric Revenue Bonds, Series 1981. Copies of the latest draft of the form of arbitrage certificate were distributed to and considered by the members of the Council present at the meeting. Thereupon, the following Resolution was introduced in written form by Attorney Arthur Smith, was read in full by the City Clerk, and after discussion pursuant to motion made by Councilman Hovey and seconded by Councilman Wood, was adopted by the following vote:

Aye:	Arthur R. Chandler,	Councilmember
	Melvin L. Erickson,	Councilmember
	Paul L. Hovey,	Councilmember
	Sam S. Sakaguchi,	Councilmember
	Ralph M. Wood,	Councilmember

Nay: None.

The Resolution was thereupon signed by the Mayor, attested by the City Clerk and declared to be in effect. The Resolution is as follows:

R E S O L U T I O N (Resolution No. 1981-03)

A RESOLUTION AUTHORIZING THE EXECUTION BY THE MAYOR, CITY TREASURER, CITY CONTROLLER AND MANAGER OF THE ELECTRIC LIGHT DIVISION OF THE CITY OF IDAHO FALLS, IDAHO, OF AN ARBITRAGE CERTIFICATE IN CONNECTION WITH THE ISSUANCE BY THE CITY OF IDAHO FALLS, IDAHO, OF ITS \$40,260,000 ELECTRIC REVENUE BONDS, SERIES 1981.

* * * * * * * * * * * * * * *

WHEREAS, on January 15, 1981, the Mayor and Council of the City of Idaho Falls, Idaho (the "City"), adopted Ordinance No. 1671 providing for the issuance of Electric Revenue Bonds ("Ordinance No. 1671"); and,

WHEREAS, pursuant to the provisions of Ordinance No. 1671 on January 15, 1981, the Mayor and Council also adopted Ordinance No. 1672 authorizing the issuance and sale of \$40,260,000 Electric Revenue Bonds, Series 1981, of the City ("Ordinance No. 1672"), and in Section 601 of Ordinance No. 1672 authorized and directed the Mayor, City Treasurer, City Controller and Manager of the Electric Light Division of the City to execute such certificates as shall be necessary to demonstrate that the Electric Revenue Bonds authorized by Ordinance No. 1672 are not "arbitrage bonds" within the meaning of Section 103(c) of the Internal Revenue Code of 1954, as amended (the "Code"); and,

WHEREAS, it is now desired to authorize the execution by the Mayor, City Treasurer, City Controller, and Manager of the Electric Light Division of the City of an arbitrage certificate pursuant to Section 601 of Ordinance No. 1672, in order to make the certifications and representations required pursuant to Section 103(c) of the Code;

NOW, THEREFORE, Be It Resolved by the Mayor and Council of the City of Idaho Falls, Bonneville County, Idaho, as follows:

Section 1. That the Mayor, City Treasurer, City Controller, and Manager of the Electric Light Division of the City of Idaho Falls, Idaho, are hereby authorized and directed to execute and deliver an Arbitrage Certificate with respect to the \$40,260,000 Electric Revenue Bonds, Series 1981, dated as of January 1, 1981, authorized to be issued pursuant to Ordinance No. 1672, such Arbitrage Certificate to be in substantially the approved form, with such changes and additions as shall be made with the approval and consent of such officers.

Section 2. That all resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall take effect and be in full force immediately upon its passage and approval.

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ADOPTED AND APPROVED, this 15th day of
January, 1981.

ATTEST: s/ Thomas Campbell
Mayor
s/ Velma Chandler
City Clerk

(SEAL)

There being no further business, it was moved by Councilman Wood, seconded
by Erickson, that the meeting be adjourned at 5:40 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor