

MARCH 27, 1979

Pursuant to a call by the Mayor the City Council of the City of Idaho Falls met in special session in the Council Chamber on the 27th day of March, 1979 at 7:30 P.M. for the purpose of considering and adopting ordinances authorizing the issuance and sale and providing the terms of \$36,150,000 of Electric Revenue Bonds, Series 1979 of the City of Idaho Falls, Idaho; also, to consider other official documents pertaining to said bonds; also, to consider an ordinance authorizing the issuance L.I.D. Bonds in Local Improvement District No. 52. There were present at said meeting: Mayor Tom Campbell; Councilmen Ralph Wood, Charles Clark, Mel Erickson, Jim Freeman, Paul Hovey, and Sam Sakaguchi. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney and G.S. Harrison, Manager Electric Light Division.

Noting that the purpose of the meeting, primarily, was to consider ordinances and other documents pertaining to issuance of \$36,150,000 electric revenue bonds, the Mayor introduced the following fiscal officials from other cities who, each in their own capacity, had been responsible for the progress, to date, in all fiscal developments in the preparation of said ordinances and other documents, as follows: Rich Michaels, representing the Fiscal Agent, Idaho First National Bank, Boise, Idaho; Robert Yeasting, representing Foster & Marshall, Bond Underwriters, Seattle, Washington; Richard Scott, representing the Bond Attorneys, Chapman & Cutler, Chicago, Illinois.

The Mayor presented the call of the special meeting, which was thereupon ordered recorded in the minutes of the meeting, pursuant to the requirements of Section 50-604, Idaho Code, as follows:

NOTICE OF SPECIAL CITY COUNCIL MEETING

Pursuant to Section 50-604 of the Idaho Code and Section 1-10-2 of the Code of the City of Idaho Falls, Idaho, notice is hereby given that there will be a Special Meeting of the City Council of the City of Idaho Falls, Bonneville County, Idaho on Tuesday, March 27, 1979 at the hour of 7:30 P.M. in the Council Chamber. The purpose of the meeting is to consider and adopt ordinances authorizing the issuance and sale and providing the terms of \$36,150,000 of Electric Revenue Bonds, Series 1979 of the City of Idaho Falls, Idaho; also, to consider other official documents pertaining to said bonds; also, to consider an ordinance authorizing the issuance of L.I.D. Bonds in Local Improvement District Number 52.

Dated this 23rd day of March, 1979

s/ Thomas Campbell
Mayor

The following ordinance 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: Ayes, Councilmen Clark, Erickson, Freeman, Hovey, Sakaguchi, and Wood; Nay, none.

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The ordinance 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 Erickson, the ordinance was adopted by the following vote: Ayes; Councilmen Clark, Erickson, Freeman, Hovey, Sakaguchi, and Wood; Nay; none.

The ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk and was ordered recorded. The title of said ordinance is as follows:

ORDINANCE NO. 1574

PROVIDING FOR THE ISSUANCE OF ELECTRIC
REVENUE BONDS.

The following ordinance 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: Ayes; Councilmen Clark, Erickson, Freeman, Hovey, Sakaguchi, Wood. Nay; none.

The ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk and was ordered recorded. The title of said ordinance is as follows:

ORDINANCE NO. 1575

AN ORDINANCE AUTHORIZING THE ISSUANCE
AND SALE OF \$36,150,000 ELECTRIC REVENUE
BONDS, SERIES 1979 OF THE CITY OF IDAHO
FALLS, IDAHO.

The Mayor invited Mr. Bob Yeasting of the Bond Underwriting Firm of Foster & Marshall to come forward to the Council table and introduce the Official Statement, relative to \$36,150,000 in electric revenue bonds in the process of being sold by said firm. It was learned that said instrument represented an official document and was prepared for the purpose of full and proper disclosure of all financial, engineering, legal and economic elements of said bond issue and the issuer. Yeasting concluded his remarks by saying this was an attractive vehicle in the market place, serving as an aid in the sale of bonds. It was moved by Councilman Hovey, seconded by Erickson, that this official statement be approved and adopted and the Mayor be authorized to sign the City's approval, subject to minor changes as explained and as would be reflected in the final printing. Roll call as follows: Ayes, 6; No, none; carried.

A purchase agreement between the City and Foster & Marshall was then submitted. Again, Yeasting was called to the Council table for purposes of introduction and explanation. Yeasting took this opportunity to point out that the preliminary proceedings leading up to final presentation of the foregoing ordinances were time consuming and complex involving, among other things, trips to New York by certain City Officials deemed necessary to obtain an attractive rating on the bonds. He said he and his associates had been engaged, during the past week, in an extensive marketing effort and that, as a result, a satisfactory average interest rate of 6.723% had been secured. Yeasting then revealed the coupon rate and the amount carrying said coupon rate for the life of the issue. Yeasting listed approximately sixteen associated brokers that would be involved in the resale of the

bonds. In anticipation that the purchase agreement would be approved, Yeasting then delivered to the Mayor a \$100,000 good faith cashier's check with the understanding that

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said check would be held uncashed until the closing as security for the performance by the Underwriters of their obligation to accept and pay for the bond as said closing. It was moved by Councilman Hovey, seconded by Erickson, that this agreement be accepted, that the Mayor be authorized to sign in behalf of the City with the understanding that the City assume the responsibility of delivering the bonds in question to Foster & Marshall. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor commended the City Attorney, the Electrical Engineer, the City Controller and all other staff members who, with a united effort and working beyond the call of duty, assisted the outside the City Fiscal Officials in the progress made to date.

On a non-related matter the City Attorney introduced the following ordinance:

ORDINANCE NO. 1576

AN ORDINANCE CONCERNING COSTS AND EXPENSES OF LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS; CONFIRMING THE CREATION AND ESTABLISHMENT OF LOCAL IMPROVEMENT DISTRICT NO. 52 FOR IDAHO FALLS, IDAHO, FOR STREET AND ALLEY IMPROVEMENTS; APPROVING THE ASSESSMENT ROLL FOR SAID DISTRICT; PROVIDING FOR THE PAYMENT IN INSTALLMENTS OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS TO BE MADE IN SAID DISTRICT; PROVIDING FOR THE ISSUE OF IMPROVEMENT BONDS OF THE DISTRICT; ASSESSING THE COST OF THE IMPROVEMENTS AGAINST THE LOTS, BLOCKS, AND PARCELS OF LAND IN SAID DISTRICT CONTIGUOUS AND ADJACENT TO, FRONTING OR ABUTTING UP ON SAID IMPROVEMENTS IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE CREATION OF A LOCAL IMPROVEMENT GUARANTY FUND FOR THE PAYMENT OF SAID IMPROVEMENT BONDS, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT.

The foregoing ordinance was presented in title. It was moved by Councilman Sakaguchi, seconded by Hovey, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

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There being no further business it was moved by Councilman Freeman, seconded by Hovey, that the meeting adjourn at 8:00 P.M., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ Thomas Campbell
Mayor

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