

RESOLUTION NO. 15-03



Oregon State University Requesting and Consenting to the Sale of State General Obligation Bonds

A RESOLUTION OF THE BOARD OF TRUSTEES OF OREGON STATE UNIVERSITY REQUESTING THE ISSUANCE OF STATE OF OREGON GENERAL OBLIGATION BONDS PURSUANT TO ARTICLE XI-Q AND ARTICLE XI-G OF THE OREGON CONSTITUTION FOR THE BENEFIT OF THE UNIVERSITY; RATIFYING AND APPROVING PAST DECISIONS AND ACTIONS; AND AUTHORIZING MATTERS RELATED THERETO.

WHEREAS, the Oregon Legislative Assembly has authorized the issuance of State of Oregon ("State") general obligation bonds for the benefit of Oregon State University (the "University") under Article XI-Q and Article XI-G of the Oregon Constitution, applicable provisions of ORS Chapters 286A, 351 and 352 (collectively, the "Act"), and chapter 705, Oregon Laws 2013, as amended by chapter 121, Oregon Laws 2014 (together the "2013-2015 Bond Bill"); and

WHEREAS, the 2013-2015 Bond Bill authorized **Article XI-Q bonds**, which include approximately \$12,000,000 for the Cascades Campus Expansion project and \$4,847,000 for the Strand Agricultural Hall project; and

WHEREAS, ORS 286A.818 provides that the State Treasurer, at the request of the Department of Administrative Services ("DAS"), may issue Article XI-Q bonds for any of the purposes specified in Article XI-Q of the Oregon Constitution, plus an amount determined by the State Treasurer to pay estimated bond-related costs and subject to bond budget authorization for the biennium; and

WHEREAS, it is appropriate for this Board to request that DAS request the issuance of Article XI-Q bonds for authorized projects, consistent with the 2013-2015 Bond Bill and as may be provided by law and as otherwise required by law for the 2013-2015 biennium without requiring further action of this Board; and

WHEREAS, the 2013-2015 Bond Bill also authorized **Article XI-G bonds** for the benefit of the University in the amount of \$6,586,000 for the Strand Agricultural Hall project, \$32,500,000 for the Classroom Building and Quad project, \$7,850,000 for the Cascades Campus Expansion project, and \$20,000,000 for the Chemistry, Biology and Environmental Engineering Building project during the 2013-2015 biennium; and

WHEREAS, it is appropriate for this Board to request that the State Treasurer issue Article XI-G bonds for the benefit of the University for authorized projects, in amounts not greater than authorized by the 2013-2015 Bond Bill, and as may be provided by law and as otherwise required by law for the 2013-2015 biennium without requiring further action of this Board; and

WHEREAS, Article XI-G of the Oregon Constitution requires that the amount of any indebtedness incurred under that section in any biennium shall be matched by an amount that is at least equal to the amount of the indebtedness and may include moneys available to the University; and

WHEREAS, Article XI-G of the Oregon Constitution requires that the matching amount be used for the same or similar purposes as the proceeds of the indebtedness; and

WHEREAS, the Board hereby finds that moneys available to the University have been and will be applied to pay a portion of the costs of the projects to be financed in part with the proceeds of Article XI-G bonds to be issued in the 2013-2015 biennium to satisfy this match requirement;

NOW, THEREFORE, the Board resolves as follows:

1. Article XI-Q Projects. Article XI-Q Bonds are authorized to be sold under the Act for the benefit of the University consistent with the authorization pursuant to the 2013-2015 Bond Bill. The University hereby requests that DAS request the State Treasurer issue and sell such bonds prior to June 30, 2015, in the authorized amounts for the Cascades Campus Expansion project and the Strand Agricultural Hall project.

2. Article XI-G Projects. Article XI-G Bonds are authorized to be sold under Act for the benefit of the University pursuant to the 2013-2015 Bond Bill. The University hereby requests that, as authorized by the 2013-2015 Bond Bill, such bonds be issued and sold prior to June 30, 2015, in the amounts authorized pursuant to the 2013-2015 Bond Bill, for the Strand Agricultural Hall deferred maintenance project, the Classroom Building and Quad project, the Cascades Campus Expansion project and the Chemistry, Biology and Environmental Engineering Building project.

3. Terms, Sale and Issuance. The Article XI-Q Bonds and Article XI-G Bonds authorized by this resolution (together, the "Bonds"), shall be issued in such series and principal amounts as the State Treasurer, after consultation with the applicable project and related agency, shall determine are required to pay or reimburse costs of the projects described in Section 1 and Section 2 of this resolution. The Bonds shall mature, bear interest and otherwise be structured, sold and issued as the State Treasurer determines after such consultation.

4. Maintenance of Tax-Exempt Status. The Vice President for Finance and Administration of the University or his or her designee (the "Authorized University Representative") is hereby authorized to covenant, on behalf of the University, to comply with

the provisions of the Internal Revenue Code of 1986, as amended, that are required or desirable for interest on tax-exempt bonds to be excluded from gross income for federal income taxation purposes, for Bonds issued on a tax-exempt basis and to execute and deliver such agreements, documents or certificates required or desirable for such Bonds to be issued on a tax-exempt basis.

5. Ratification and Approval of Actions. The Board hereby ratifies and approves all prior actions taken on behalf of the Board or the University related to the Bonds. The Board hereby authorizes, empowers, and directs the Authorized University Representative to take further actions as may be necessary or desirable related to the Bonds, including without limitation, (i) covenanting to perform on behalf of the University, and performing, any actions necessary or desirable to comply with requests from the State Treasurer authorized under ORS chapter 286A to administer the Bonds, (ii) the execution and delivery of any agreements, documents or certificates, including any grant or trust agreements with the State Treasurer and any other party as may be necessary or desirable to carry out such actions or arrangements, and (iii) to take such other actions as are necessary or desirable for the purposes and intent of this resolution.

6. Matching Funds. The Authorized University Representative is hereby authorized to execute and deliver such agreements, documents or certificates required or desirable by the State Treasurer or the State's Bond Counsel to establish that the University has properly matched the amount of the Bonds in accordance with the provisions of Article XI-G(1)(3).

7. Effective Date. This resolution shall take effect immediately upon adoption by the Board.

This Resolution is effective January 16, 2015.

APPROVED:

	1/16/2015
Secretary to the Board	Date