

Board of Trustees of the University of Oregon

Resolution: Requesting State of Oregon Article XI-Q Bonds Seconded Motion from the Finance and Facilities Committee

WHEREAS, the Oregon Legislative Assembly has authorized the issuance of State of Oregon (“State”) general obligation bonds for the benefit of the University of Oregon (the “University”) under Article XI-Q of the Oregon Constitution and applicable provisions of ORS Chapter 286A (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 \$459,618,100 of Article XI-Q bonds, which includes approximately \$8,059,936 for capital renewal, code, and safety projects, \$2,100,000 for the University’s utility tunnel failure and repair project, and \$990,000 for the University’ Museum of Natural and Cultural History Library shelving 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;

WHEREAS, it is appropriate for this Board to request that DAS request the issuance of Article XI-Q bonds 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, the Finance and Facilities Committee has referred this resolution to the Board as a seconded motion, pursuant to the Policy on Committees;

NOW, THEREFORE, the Board resolves as follows:

1. Article XI-Q Projects. Bonds are authorized to be sold under the Act for the benefit of the University and consistent with the authorization of 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 an aggregate principal amount sufficient to provide \$11,149,936 in net bond proceeds, and to pay costs of issuance, for University projects.

2. Terms, Sale and Issuance. The XI-Q bonds authorized by this resolution (the “Bonds”), shall be issued in such series and principal amounts as the State Treasurer, after consultation with the applicable related and/or project agency/agencies, shall determine are required to pay or reimburse costs of the projects described in Section 1 of this resolution. The Bonds shall mature, bear interest and otherwise be structured, sold and issued as the State Treasurer determines after such consultation. The maximum net effective interest rate for the Bonds shall not exceed eight percent per annum.

3. Maintenance of Tax-Exempt Status. The Treasurer 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 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 for such Bonds to be issued on a tax-exempt basis.

4. 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 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 loan, grant or trust agreements with the State Treasurer and any other party, if necessary, 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.

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

VOTE: Voice Vote Recorded – Ayes carried (no dissention)

DATE: December 11, 2014

Recorded by the University Secretary: 