

Presented by: The Manager  
Introduced: 02/25/2002  
Drafted by: Bond Counsel

## **RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

### **Serial No. 2140**

#### **A Resolution of the Assembly of the City and Borough of Juneau, Alaska, Fixing the Final Principal Amounts and Interest Rates of the Water and Sewer Revenue and Refunding Bonds, 2002 Authorized by Ordinance Serial No. 2001-56 and Accepting a Bid for the Purchase of Said Bonds.**

WHEREAS, on December 17, 2001, the Assembly of the City and Borough of Juneau, Alaska (the "City and Borough"), passed Ordinance Serial No. 2001-56 (the "Bond Ordinance") authorizing the issuance and sale of Water and Sewer Revenue and Refunding Bonds, 2002 (the "Bonds") in the aggregate principal amount of not to exceed \$2,955,000; and

WHEREAS, pursuant to the Bond Ordinance, a preliminary official statement dated February 4, 2002 has been prepared for the public sale of the Bonds, the official notice of such sale (the "Notice") has been duly published, and bids have been received in accordance with the Notice; and

WHEREAS, the attached bid of UBS PaineWebber, Inc. (the "Purchaser") to purchase the Bonds is the best bid received, and it is in the best interest of the City and Borough that the Bonds be sold to the Purchaser on the terms set forth in the Notice, the attached bid and the Bond Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Ratification of Notice of Sale and Acceptance of Bid.** The terms and conditions set forth in the Official Notice of Bond Sale, attached hereto as Exhibit A, are hereby ratified and confirmed, and the bid to purchase the Bonds, as set forth in the Purchaser's bid attached hereto as Exhibit B, is hereby accepted. All other bids that have been received are attached hereto as Exhibit C. The Bonds shall bear interest at the rates set forth on Exhibit B and shall conform in all other respects to the terms and conditions specified in the Notice and Bond Ordinance.

**Section 2. Delivery of the Bonds.** The proper officials of the City and Borough are authorized and directed to execute all documents and to do everything necessary for the preparation and delivery of a transcript of proceedings pertaining to the Bonds and the printing, authentication and delivery of the Bonds in definitive form to the Purchaser.

**Section 3. Continuing Disclosure Undertaking.** The Bond Ordinance sets forth the City and Borough's undertaking for ongoing disclosure for the benefit of owners of the Bonds. Such undertaking has further been reflected in the Preliminary and Final Official Statements for the Bonds. It is intended that the text of the Final Official Statement reflect in full the terms of the City and Borough's undertaking and to the extent that any provision of the undertaking set forth in the Bond Ordinance may be construed to be in conflict with the description of the undertaking in the Final Official Statement, the description in the Final Official Statement shall control.

**Section 4. Severability.** The covenants contained in this resolution shall constitute a contract between the City and Borough and the owners of each and every Bond. If any one or more of the covenants or agreements provided in this resolution to be performed on the part of the City and Borough shall be declared by any court of competent jurisdiction to be contrary to law, then such covenant or covenants, agreement or agreements, shall be null and void and shall be deemed separable from the remaining covenants and agreements of this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Bonds.

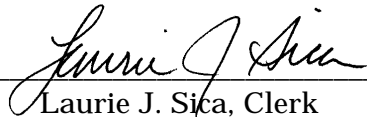
**Section 5. Effective Date.** This resolution shall be effective immediately upon adoption.

Adopted this 25<sup>th</sup> day of February, 2002.



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Sally Smith, Mayor

Attest:

  
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Laurie J. Sica, Clerk